



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 26, 2011

House Amendment 1033

PAG LIN

1 1 Amend House File 94 as follows:  
1 2 #1. Page 3, before line 28 by inserting:  
1 3 <2A. In addition to the information to be provided  
1 4 pursuant to subsection 2, there shall be provided on  
1 5 the searchable internet site all of the following:  
1 6 a. A listing and description of special tax credits  
1 7 claimed for the individual income tax, corporate income  
1 8 tax, franchise tax, and insurance premiums tax. A  
1 9 special tax credit is a tax credit for which fewer than  
1 10 twenty percent of the tax filers in the applicable tax  
1 11 category claim the tax credit. For each category of  
1 12 tax the internet site shall list each of the special  
1 13 tax credits applicable to it, the total amount of  
1 14 that tax credit claimed, and the number of taxpayers  
1 15 claiming the tax credit.  
1 16 b. The estimated cost to the state of each of  
1 17 the twenty sales tax exemptions that account for the  
1 18 largest dollar amount share of sales tax exemptions  
1 19 under section 423.3. The cost of each exemption shall  
1 20 be listed by county and, in addition, stated as a per  
1 21 capita amount for each county. This paragraph does not  
1 22 apply to the tax exemptions pursuant to section 423.3,  
1 23 subsections 2, 31, 39, 58, 73, and 85.  
1 24 c. The information to be provided pursuant to  
1 25 subsection 2 shall also be provided for entities or  
1 26 recipients of the special tax credits or exemptions  
1 27 described in this subsection.  
1 28 2B. In providing information pursuant to this  
1 29 section on tax exemptions or tax credits, the  
1 30 confidentiality provisions of Iowa law and federal law  
1 31 shall apply and be adhered to.>

ISENHART of Dubuque  
HF94.153 (2) 84  
tw/sc



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**House Amendment 1034**

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1 1 Amend House File 94 as follows:  
1 2 #1. Page 3, before line 28 by inserting:  
1 3 <2A. The searchable internet site developed  
1 4 pursuant to this section shall allow the public at no  
1 5 cost to search by name for businesses receiving income  
1 6 tax refunds. The department of revenue shall provide  
1 7 the information described in subsection 2 and such  
1 8 additional information as necessary to the department  
1 9 of management. In the case of businesses electing  
1 10 to receive pass-through treatment for purposes of  
1 11 taxation, the department of revenue shall aggregate  
1 12 the refund data and information by business name and  
1 13 transmit it to the department of management without  
1 14 disclosing the identity of individual taxpayers.  
1 15 For purposes of this subsection, "business" does not  
1 16 include sole proprietorships.>  
1 17 #2. Page 5, line 8, by striking <Individual tax  
1 18 levies> and inserting <In the case of property  
1 19 taxes, the individual components of the applicable  
1 20 consolidated levy>

Petersen of Polk  
HF94.167 (2) 84  
tw/sc



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## House Amendment 1035

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1 1 Amend House File 94 as follows:  
1 2 #1. Page 1, before line 9 by inserting:  
1 3 <Sec. \_\_\_\_\_. Section 8A.502, subsection 9, Code 2011,  
1 4 is amended by striking the subsection.>  
1 5 #2. Page 2, line 13, after <assistance.> by  
1 6 inserting <The department of management shall define by  
1 7 rule adopted pursuant to chapter 17A the meaning of the  
1 8 term "individual recipient of state assistance".>  
1 9 #3. Page 2, before line 33 by inserting:  
1 10 <8. "Tax exemption or credit" means an exclusion  
1 11 from the operation or collection of a tax imposed in  
1 12 this state. Tax exemption or credit includes tax  
1 13 credits, exemptions, deductions, and rebates. "Tax  
1 14 exemption or credit" also includes sales tax refunds if  
1 15 such refunds are applied for and granted as a form of  
1 16 financial assistance, including but not limited to the  
1 17 refunds allowed in sections 15.331A and 423.4.  
1 18 9. "Taxing jurisdiction" means a political  
1 19 subdivision of the state with the authority to levy  
1 20 taxes. Taxing jurisdiction includes but is not  
1 21 limited to a city, a county, a school district, and a  
1 22 township.>  
1 23 #4. Page 3, line 13, by striking <and principal  
1 24 location or residence>  
1 25 #5. Page 3, line 17, by striking <of the revenue  
1 26 expended>  
1 27 #6. Page 3, line 22, after <expenditure> by  
1 28 inserting <, to the extent that such information is  
1 29 available and can be provided>  
1 30 #7. Page 3, line 24, after <expenditure> by  
1 31 inserting <, to the extent that such information is  
1 32 available and can be provided>  
1 33 #8. Page 3, before line 28 by inserting:  
1 34 <2A. a. In providing information pursuant to this  
1 35 section on tax exemptions or credits, the department of  
1 36 revenue shall do the following:  
1 37 (1) Provide aggregate information for those tax  
1 38 exemptions or credits that are claimed by individual  
1 39 taxpayers.  
1 40 (2) Provide the information described in subsection  
1 41 2 for those tax exemptions or credits that are awarded  
1 42 by an agency.  
1 43 (3) Adhere to all applicable confidentiality  
1 44 provisions to the extent possible while complying with  
1 45 the requirements of this section.  
1 46 b. An agency awarding tax exemptions or credits  
1 47 shall provide to the department of revenue any  
1 48 information the department may request regarding such  
1 49 exemptions or credits.>  
1 50 #9. Page 3, by striking lines 31 and 32 and



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House Amendment 1035 continued

2 1 inserting <updated regularly as new data and  
2 2 information become available, but shall be updated  
2 3 no less frequently than annually within thirty days  
2 4 following the close of the state fiscal year. In  
2 5 addition, the>  
2 6 #10. Page 4, line 30, by striking <districts> and  
2 7 inserting <jurisdictions>  
2 8 #11. Page 5, by striking lines 6 through 8 and  
2 9 inserting <taxing jurisdiction. The information shall  
2 10 include all applicable tax types imposed in the taxing  
2 11 jurisdiction and shall be organized, presented, and  
2 12 accessible, to the extent possible, by county, city,  
2 13 and physical address for each residency or business.  
2 14 Individual tax levies>  
2 15 #12. Page 5, lines 11 and 12, by striking <by  
2 16 zip code or physical address for each residency or  
2 17 business> and inserting <in the manner described in  
2 18 subsection 1>  
2 19 #13. Page 5, line 14, by striking <district> and  
2 20 inserting <jurisdiction>  
2 21 #14. Page 5, line 21, by striking <district> and  
2 22 inserting <jurisdiction>  
2 23 #15. Page 5, by striking lines 26 and 27 and  
2 24 inserting <jurisdictions in the state, each taxing  
2 25 jurisdiction may annually be required to report its tax  
2 26 rates to the department of management or the department  
2 27 of revenue and shall>  
2 28 #16. By renumbering, redesignating, and correcting  
2 29 internal references as necessary.

HELLAND of Polk  
HF94.164 (1) 84  
tw/sc



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## House Amendment 1036

PAG LIN

1 1 Amend House File 95 as follows:  
1 2 #1. Page 1, before line 1 by inserting:  
1 3 <Section 1. Section 43.49, subsection 1, unnumbered  
1 4 paragraph 1, Code 2011, is amended to read as follows:  
1 5 On the ~~Monday or~~ Tuesday following the primary  
1 6 election, the board of supervisors shall meet, open,  
1 7 and canvass the returns from each voting precinct in  
1 8 the county, and make abstracts thereof, stating the  
1 9 following:>  
1 10 #2. Page 6, by striking lines 3 through 5 and  
1 11 inserting:  
1 12 <(3) The document includes an expiration date, and  
1 13 the document is not expired at the time it is presented  
1 14 or expired after the date of the last preceding general  
1 15 election.>  
1 16 #3. Page 6, by striking lines 6 through 8 and  
1 17 inserting:  
1 18 <(4) The document was issued by the United States  
1 19 or the state of Iowa.>  
1 20 #4. Page 8, after line 32 by inserting:  
1 21 <Sec. \_\_\_\_\_. Section 50.24, subsection 1, Code 2011,  
1 22 is amended to read as follows:  
1 23 1. The county board of supervisors shall meet to  
1 24 canvass the vote on the first ~~Monday or~~ Tuesday after  
1 25 the day of each election to which this chapter is  
1 26 applicable, unless the law authorizing the election  
1 27 specifies another date for the canvass. If that ~~Monday~~  
~~1 28 or~~ Tuesday is a public holiday, section 4.1, subsection  
1 29 34, controls.  
1 30 Sec. \_\_\_\_\_. Section 50.46, Code 2011, is amended to  
1 31 read as follows:  
1 32 50.46 Special elections ==== canvass and certificate.  
1 33 When a special election has been held to fill a  
1 34 vacancy, pursuant to section 69.14, the board of  
1 35 county canvassers shall meet ~~no earlier than 1:00 p.m.~~  
~~1 36 on the second day after the election, on the first~~  
1 37 Tuesday following the election and canvass the votes  
1 38 cast at the election. If the ~~second day~~ first Tuesday  
1 39 after the election is a public holiday, section 4.1,  
1 40 subsection 34, controls. The commissioner, as soon as  
1 41 the canvass is completed, shall transmit to the state  
1 42 commissioner an abstract of the votes so canvassed,  
1 43 and the state board, within five days after receiving  
1 44 such abstracts, shall canvass the tally lists. A  
1 45 certificate of election shall be issued by the county  
1 46 or state board of canvassers, as in other cases. All  
1 47 the provisions regulating elections, obtaining tally  
1 48 lists, and canvass of votes at general elections,  
1 49 except as to time, shall apply to special elections.  
1 50 Sec. \_\_\_\_\_. Section 50.48, subsection 7, Code 2011,



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House Amendment 1036 continued

2 1 is amended to read as follows:

2 2 7. If the election is an election held by a city  
2 3 which is not the final election for the office in  
2 4 question, the recount shall progress according to the  
2 5 times provided by this subsection. If this subsection  
2 6 applies the canvass shall be held ~~by the second day~~  
~~2 7 on the Tuesday~~ after the election, the request for a  
2 8 recount must be made by the ~~third~~ eighth day after  
2 9 the election, the board shall convene to conduct the  
2 10 recount by the ~~sixth~~ ninth day after the election, and  
2 11 the report shall be filed by the ~~eleventh~~ thirteenth  
2 12 day after the election.>

2 13 #5. Page 10, after line 3 by inserting:

2 14 <Sec. \_\_\_\_\_. Section 277.20, unnumbered paragraph 1,  
2 15 Code 2011, is amended to read as follows:

2 16 On the next ~~Friday~~ Tuesday after the regular school  
2 17 election, the county board of supervisors shall  
2 18 canvass the returns made to the county commissioner  
2 19 of elections from the several precinct polling places  
2 20 and the absentee ballot counting board, ascertain  
2 21 the result of the voting with regard to every matter  
2 22 voted upon and cause a record to be made thereof as  
2 23 required by section 50.24. Special elections held in  
2 24 school districts shall be canvassed at the time and  
2 25 in the manner required by that section. The board  
2 26 shall declare the results of the voting for members of  
2 27 boards of directors of school corporations nominated  
2 28 pursuant to section 277.4, and the commissioner shall  
2 29 at once issue a certificate of election to each person  
2 30 declared elected. The board shall also declare the  
2 31 results of the voting on any public question submitted  
2 32 to the voters of a single school district, and the  
2 33 commissioner shall certify the result as required by  
2 34 section 50.27.>

2 35 #6. Page 10, before line 21 by inserting:

2 36 <Sec. \_\_\_\_\_. Section 331.605, subsection 1, paragraph  
2 37 f, Code 2011, is amended to read as follows:

2 38 f. A county fee of four dollars for a certified  
2 39 copy of a birth record, death record, or marriage  
2 40 certificate. The fee prescribed by this paragraph  
2 41 shall not be assessed to applicants requesting a  
2 42 certified copy of a birth record if the applicant  
2 43 executes an affidavit indicating the applicant is  
2 44 requesting the certified copy of a birth record  
2 45 for the purpose of obtaining an Iowa nonoperator's  
2 46 identification card to be used for voting.

2 47 Sec. \_\_\_\_\_. Section 376.7, subsection 1, Code 2011,  
2 48 is amended to read as follows:

2 49 1. If a primary election is necessary, it shall be  
2 50 held on the Tuesday four weeks before the date of the



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House Amendment 1036 continued

3 1 regular city election. For each office on the ballot,  
3 2 a voter shall only vote for the number of persons to be  
3 3 elected to that office at the regular city election.  
3 4 The county board of supervisors shall publicly canvass  
3 5 the tally lists of the vote cast in the primary  
3 6 election, following the procedures prescribed in  
3 7 section 50.24, at a meeting to be held on the ~~second~~  
~~3 8 day~~ first Tuesday following the primary election, and  
~~3 9 beginning no earlier than 1:00 p.m. on that day.~~  
3 10 Sec. \_\_\_\_\_. Section 376.9, subsection 1, Code 2011,  
3 11 is amended to read as follows:  
3 12 1. A runoff election may be held only for positions  
3 13 unfilled because of failure of a sufficient number of  
3 14 candidates to receive a majority vote in the regular  
3 15 city election. When a council has chosen a runoff  
3 16 election in lieu of a primary, the county board of  
3 17 supervisors shall publicly canvass the tally lists of  
3 18 the vote cast in the regular city election, following  
3 19 the procedures prescribed in section 50.24, at a  
3 20 meeting to be held on the ~~second day~~ first Tuesday  
3 21 following the regular city election, ~~and beginning no~~  
~~3 22 earlier than 1:00 p.m. on that day.~~ Candidates who  
3 23 do not receive a majority of the votes cast for an  
3 24 office, but who receive the highest number of votes  
3 25 cast for that office in the regular city election, to  
3 26 the extent of twice the number of unfilled positions,  
3 27 are candidates in the runoff election.>  
3 28 #7. Title page, line 2, after <person> by inserting  
3 29 <, providing for properly related matters,>  
3 30 #8. By renumbering as necessary.

SCHULTE of Linn  
HF95.154 (3) 84  
sc/nh



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House Concurrent Resolution 8 - Introduced

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY ALONS, BRANDENBURG, WINDSCHITL, FRY, ROGERS,  
DE?BOEF, and CHAMBERS

1 1 A Concurrent Resolution requesting the United States  
1 2 Food and Drug Administration to rescind approval of  
1 3 ulipristal acetate.  
1 4 WHEREAS, the United States food and drug  
1 5 administration approved ulipristal acetate, marketed  
1 6 in the United States under the brand name "ella", on  
1 7 August 13, 2010; and  
1 8 WHEREAS, ella was approved as an emergency  
1 9 contraceptive for use to reduce the risk of pregnancy  
1 10 up to five days after unprotected intercourse or  
1 11 contraceptive failure; and  
1 12 WHEREAS, even though ella was approved only as an  
1 13 emergency contraceptive, it has chemical similarities  
1 14 to existing drugs such as mifepristone (RU=486), used  
1 15 as abortifacients; and  
1 16 WHEREAS, the potential for misuse of ella as an  
1 17 abortifacient could result in unintended abortions and  
1 18 put women's lives at risk; NOW THEREFORE,  
1 19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
1 20 THE SENATE CONCURRING, That the Iowa General Assembly  
1 21 requests that the United States food and drug  
1 22 administration rescind its approval of ella based upon  
1 23 its potential use as an abortifacient rather than for  
1 24 its approved purpose as an emergency contraceptive; and  
1 25 BE IT FURTHER RESOLVED, That a copy of this  
1 26 resolution be sent to the office of the commissioner of  
1 27 the United States food and drug administration and each  
1 28 member of Iowa's congressional delegation.

LSB 1475YH (4) 84

pf/rj





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**House File 110 - Introduced**

HOUSE FILE  
BY ISENHART and HUNTER

**A BILL FOR**

1 An Act relating to assisted living programs, and including  
2 effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1273YH (7) 84  
pf/nh



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House File 110 - Introduced continued

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1 1 Section 1. Section 231C.2, subsection 2, Code 2011, is  
1 2 amended to read as follows:

1 3 2. "Assisted living" means provision of housing  
1 4 with services which may include but are not limited to  
1 5 health-related care, personal care, and assistance with  
1 6 instrumental activities of daily living to three or more  
1 7 tenants in a physical structure which provides a homelike  
1 8 environment.

1 9 a. "Assisted living" also includes encouragement of family  
1 10 involvement, tenant self-direction, and tenant participation  
1 11 in decisions that emphasize choice, dignity, privacy,  
1 12 individuality, shared risk, and independence.

1 13 b. "Assisted living" includes the provision of housing and  
1 14 assistance with instrumental activities of daily living only if  
1 15 personal care or health-related care is also included.

1 16 c. "Assisted living" includes twenty-four hours per  
1 17 day response staff to meet scheduled and unscheduled or  
1 18 unpredictable needs in a manner that promotes maximum dignity  
1 19 and independence and provides supervision, safety, and  
1 20 security.

1 21 d. "Assisted living" includes a physical structure that  
1 22 provides housing to three or more tenants in which tenants  
1 23 receive services as described in paragraph "b" from a service  
1 24 provider contracting with the housing provider or contracting  
1 25 with or employed by the tenant if both of the following  
1 26 conditions are met:

1 27 (1) The service provider has a direct or indirect corporate  
1 28 affiliation with at least one entity involved in the ownership  
1 29 or operation of the housing.

1 30 (2) At least fifty percent of the tenants receive at least  
1 31 one service from a service provider described in subparagraph  
1 32 (1).

1 33 Sec. 2. Section 231C.3, subsection 3, Code 2011, is amended  
1 34 to read as follows:

1 35 3. a. The owner or manager of a certified assisted living



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House File 110 - Introduced continued

2 1 program shall comply with the rules adopted by the department  
2 2 for an assisted living program.

2 3 b. A person including a governmental unit, that meets the  
2 4 definition of assisted living pursuant to section 231C.2 shall  
2 5 be considered an assisted living program whether or not the  
2 6 person represents the person to the public as an assisted  
2 7 living program or as a certified assisted living program, and  
2 8 shall not operate in this state unless and until the assisted  
2 9 living program is certified pursuant to this chapter.

2 10 c. A person, including a governmental unit shall not  
2 11 represent an assisted living program to the public as an  
2 12 assisted living program or as a certified assisted living  
2 13 program unless and until the program is certified pursuant to  
2 14 this chapter.

2 15 Sec. 3. Section 231C.3, subsection 4, paragraph a, Code  
2 16 2011, is amended to read as follows:

2 17 a. Services provided by a certified assisted living program  
2 18 may be provided directly by staff of the assisted living  
2 19 program, by individuals contracting with the assisted living  
2 20 program to provide services, or by individuals employed by  
2 21 the tenant or with whom the tenant contracts if the tenant  
2 22 agrees to assume the responsibility and risk of the employment  
2 23 or the contractual relationship. Any provider of services  
2 24 for an assisted living program, by whatever means employed  
2 25 or contracted, shall be subject to oversight and regulation  
2 26 applicable to staffing of an assisted living program.

2 27 Sec. 4. Section 231C.5, subsection 2, paragraphs b and h,  
2 28 Code 2011, are amended to read as follows:

2 29 b. A statement regarding the impact of the fee structure  
2 30 on third=party payments, and whether third=party payments and  
2 31 resources are accepted by the assisted living program. The  
2 32 occupancy agreement shall also include a statement regarding  
2 33 whether third=party payment is a basis for involuntary transfer  
2 34 or transfer and the program's policy regarding retention  
2 35 or involuntary transfer or transfer of a tenant following



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3 1 depletion of private resources. A tenant residing in an  
3 2 assisted living program prior to the effective date of this  
3 3 Act shall not be subject to involuntary transfer or transfer  
3 4 based solely on source of payment, unless the occupancy  
3 5 agreement entered into prior to that date specifically provided  
3 6 otherwise and was signed by the tenant or the tenant's legal  
3 7 representative. An assisted living program shall amend any  
3 8 occupancy agreement entered into prior to the effective date  
3 9 of this Act to reflect the requirements of this paragraph and  
3 10 shall obtain the signature of the tenant or the tenant's legal  
3 11 representative acknowledging the amendment to the occupancy  
3 12 agreement no later than one hundred twenty days after the  
3 13 effective date of this Act.

3 14 h. (1) Occupancy, involuntary transfer, and transfer  
3 15 criteria and procedures, which ensure a safe and orderly  
3 16 transfer.

3 17 (2) Involuntary transfer and transfer criteria, including  
3 18 criteria relating to third-party payments and resources,  
3 19 shall be explicitly stated in the occupancy agreement and  
3 20 shall also be included in a separate cover letter to the  
3 21 occupancy agreement and signed by the tenant or tenant's legal  
3 22 representative at the time of initial tenancy. An assisted  
3 23 living program shall amend any occupancy agreement entered  
3 24 into prior to the effective date of this Act to reflect  
3 25 the requirements of this subparagraph and shall obtain the  
3 26 signature of the tenant or the tenant's legal representative  
3 27 acknowledging the amendment to the occupancy agreement no later  
3 28 than one hundred twenty days after the effective date of this  
3 29 Act.

3 30 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
3 31 immediate importance, takes effect upon enactment.

3 32 EXPLANATION

3 33 This bill relates to assisted living programs.

3 34 The bill amends the definition of "assisted living" to  
3 35 provide that assisted living includes a physical structure



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4 1 that provides housing to three or more tenants, in which  
4 2 tenants receive services defined as assisted living services  
4 3 from a provider contracting with the provider of the housing  
4 4 or contracting with or employed by the tenant, if both of  
4 5 the following conditions are met: the service provider has  
4 6 a direct or indirect corporate affiliation with at least one  
4 7 entity involved in the ownership or operation of the housing;  
4 8 and at least 50 percent of the tenants receive at least one  
4 9 service from such service provider.  
4 10 The bill also provides that a person that meets the  
4 11 definition of "assisted living" shall be considered an assisted  
4 12 living program whether or not the entity represents the entity  
4 13 to the public as an assisted living program or a certified  
4 14 assisted living program, and shall not operate in the state  
4 15 unless and until the assisted living program is certified.  
4 16 Any provider of assisted living services, however employed or  
4 17 contracted, is subject to oversight and regulation applicable  
4 18 to staffing of an assisted living program.  
4 19 The bill amends provisions relating to occupancy agreements  
4 20 for tenants of assisted living programs. The bill provides  
4 21 that the occupancy agreement is to include a statement  
4 22 regarding whether third=party payment is a basis for  
4 23 involuntary transfer or transfer, and the program's policy  
4 24 regarding retention or involuntary transfer or transfer of a  
4 25 tenant following depletion of private resources. Under the  
4 26 bill, a tenant residing in an assisted living program prior  
4 27 to the effective date of the bill, is not to be subject to  
4 28 involuntary transfer or transfer based solely on source of  
4 29 payment, unless the occupancy agreement entered prior to  
4 30 that date specifically provides otherwise and the tenant or  
4 31 tenant's legal representative signed the occupancy agreement.  
4 32 Additionally, the occupancy agreement is to explicitly state  
4 33 involuntary transfer and transfer criteria, including criteria  
4 34 relating to third=party payment and resources, and this  
4 35 information is also required to be in a separate cover letter



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5 1 to the occupancy agreement and signed by the tenant or tenant's  
5 2 legal representative at the time of initial tenancy. Assisted  
5 3 living programs are required to amend occupancy agreements  
5 4 entered into prior to the effective date of the bill to reflect  
5 5 the requirements and obtain the signature of the tenant or  
5 6 the tenant's legal representative on the amended occupancy  
5 7 agreements no later than 120 days after enactment of the bill.  
5 8 The bill takes effect upon enactment.

LSB 1273YH (7) 84

pf/nh



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**House File 111 - Introduced**

HOUSE FILE  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HF 2)

**A BILL FOR**

1 An Act establishing the right to choose whether to purchase  
2 health care.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1130HV (1) 84  
av/nh



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1 1 Section 1. NEW SECTION. 1.19 Right to choose health care.  
1 2 No law shall restrict a person's natural right and power to  
1 3 secure the blessings of liberty to choose private health care  
1 4 systems or private health care plans. No law shall interfere  
1 5 with the right of a person or entity to pay for lawful medical  
1 6 services to preserve life or health, and no law shall impose  
1 7 a penalty, tax, fee, or fine, of any type, for declining or  
1 8 failing to contract for health care coverage or for declining  
1 9 or failing to participate in any particular health care  
1 10 system or plan, except as required by a court of law where  
1 11 an individual or entity is a named party in a legal dispute.  
1 12 Nothing in this section shall be construed to expand, limit,  
1 13 or otherwise modify any determination of law regarding what  
1 14 constitutes lawful medical services within the state of Iowa.

1 15 EXPLANATION

1 16 This bill establishes that the people of Iowa have the right  
1 17 to choose private health care systems or private health care  
1 18 plans and to purchase lawful medical services. In addition,  
1 19 no law shall impose a penalty, tax, fee, or fine on any person  
1 20 for declining or failing to participate in any particular  
1 21 health care system or plan. The bill shall not be construed to  
1 22 expand, limit, or otherwise modify any legal determination of  
1 23 what constitutes lawful medical services in Iowa.

LSB 1130HV (1) 84

av/nh





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**House File 112 - Introduced**

HOUSE FILE

BY HEATON, FORRISTALL,  
DRAKE, IVERSON,  
GARRETT, JORGENSEN,  
BAUDLER, HUSEMAN,  
CHAMBERS, and  
BALTIMORE

**A BILL FOR**

- 1 An Act relating to rules adopted by the environmental
- 2 protection commission.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1532YH (6) 84  
tm/nh



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House File 112 - Introduced continued

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1 1 Section 1. Section 455A.4, subsection 1, Code 2011, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. k. Approve rules approved by the  
1 4 environmental protection commission, as provided in section  
1 5 455A.6, subsection 6, paragraph "a".  
1 6 Sec. 2. Section 455A.6, subsection 6, paragraph a, Code  
1 7 2011, is amended to read as follows:  
1 8 a. Establish policy for the department and adopt rules,  
1 9 pursuant to chapter 17A, subject to the approval of the  
1 10 director, necessary to provide for the effective administration  
1 11 of chapter 455B, 455C, or 459.

1 12 EXPLANATION  
1 13 This bill provides that an administrative rule approved  
1 14 by the environmental protection commission is subject to  
1 15 the approval of the director of the department of natural  
1 16 resources.

LSB 1532YH (6) 84

tm/nh



Iowa General Assembly  
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**House File 113 - Introduced**

HOUSE FILE  
BY BRANDENBURG

**A BILL FOR**

1 An Act requiring proof of citizenship or lawful presence in the  
2 country as a condition of applying for student financial  
3 assistance for students attending certain postsecondary  
4 institutions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1590YH (4) 84  
kh/sc



Iowa General Assembly  
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House File 113 - Introduced continued

PAG LIN

1 1 Section 1. Section 260C.14, Code 2011, is amended by adding  
1 2 the following new subsection:

1 3 NEW SUBSECTION. 23. Require an individual who submits an  
1 4 application for student financial assistance to the community  
1 5 college to provide proof of United States citizenship or proof  
1 6 that the individual is lawfully present in the United States.  
1 7 An individual who cannot provide such proof shall not be  
1 8 awarded student financial assistance by the community college.

1 9 Sec. 2. Section 262.9, Code 2011, is amended by adding the  
1 10 following new subsection:

1 11 NEW SUBSECTION. 36. Direct each of the institutions of  
1 12 higher education under the board's control to require an  
1 13 individual who submits an application for student financial  
1 14 assistance to the institution to provide proof of United States  
1 15 citizenship or proof that the individual is lawfully present  
1 16 in the United States. An individual who cannot provide such  
1 17 proof shall not be awarded student financial assistance by the  
1 18 institution.

1 19 EXPLANATION

1 20 This bill directs the boards of directors of community  
1 21 colleges and the state board of regents to require applicants  
1 22 for student financial assistance at colleges and universities  
1 23 governed by the boards to provide proof of United States  
1 24 citizenship or proof that the individual is lawfully present  
1 25 in the United States. The community colleges and regents  
1 26 universities are also prohibited from awarding student  
1 27 financial assistance to an individual who cannot provide such  
1 28 proof.

LSB 1590YH (4) 84

kh/sc



Iowa General Assembly  
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**House File 114 - Introduced**

HOUSE FILE  
BY WATTS, BALTIMORE,  
COWNIE, SANDS, and  
HELLAND

**A BILL FOR**

1 An Act relating to the qualifications of a nominee to the  
2 supreme court, court of appeals, and district court.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1658YH (3) 84  
jm/rj



Iowa General Assembly  
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House File 114 - Introduced continued

PAG LIN

1 1 Section 1. Section 46.14, subsection 1, Code 2011, is  
1 2 amended to read as follows:  
1 3 1. Each judicial nominating commission shall carefully  
1 4 consider the individuals available for judge, and within sixty  
1 5 days after receiving notice of a vacancy shall certify to the  
1 6 governor and the chief justice the proper number of nominees,  
1 7 in alphabetical order. Such nominees shall be chosen by the  
1 8 affirmative vote of a majority of the full statutory number  
1 9 of commissioners upon the basis of their qualifications and  
1 10 without regard to political affiliation. Nominees shall be  
1 11 members of the bar of Iowa, shall be residents of the state or  
1 12 district of the court to which they are nominated, and shall  
1 13 be of such age that they will be able to serve an initial ~~and~~  
~~1 14 one regular~~ term of office to which they are nominated before  
1 15 reaching the age of seventy-two years. Nominees for district  
1 16 judge shall file a certified application form, to be provided  
1 17 by the supreme court, with the chairperson of the district  
1 18 judicial nominating commission. Absence of a commissioner or  
1 19 vacancy upon the commission shall not invalidate a nomination.  
1 20 The chairperson of the commission shall promptly certify the  
1 21 names of the nominees, in alphabetical order, to the governor  
1 22 and the chief justice.

1 23 EXPLANATION

1 24 This bill relates to the qualifications of a nominee to the  
1 25 supreme court, court of appeals, and district court.  
1 26 The bill modifies the age requirements for a nominee to the  
1 27 supreme court, court of appeals, or district court. Under the  
1 28 bill, a person nominated for appointment to become a supreme  
1 29 court justice, court of appeals judge, or district judge, shall  
1 30 be of such an age that the nominee will be able to serve an  
1 31 initial term of office. Current law requires a nominee for the  
1 32 supreme court, court of appeals, or district court to be of  
1 33 such an age that the nominee will be able to serve an initial  
1 34 term and one regular term of office.  
1 35 The initial and regular terms of office for a judicial



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House File 114 - Introduced continued

2 1 officer are found in the Iowa Constitution, article V, section  
2 2 17 and Code section 46.16. The initial term for all judicial  
2 3 officers except magistrates is one year after appointment  
2 4 and until January 1 following the next judicial election  
2 5 after expiration of such year. The initial term's length  
2 6 is determined by the date of appointment and is shorter in  
2 7 length than a regular term. The regular term, if the judge is  
2 8 retained by the voters after serving an initial term, is eight  
2 9 years for a supreme court justice and six years for a court of  
2 10 appeals or district judge.

2 11 The bill does not modify the mandatory retirement age for  
2 12 judicial officers which is set at 72 years of age.

2 13 The bill also does not modify the age qualifications for  
2 14 nominees to become a district associate judge in Code section  
2 15 602.6305, a magistrate in Code section 602.6404, an associate  
2 16 juvenile judge in Code section 602.7103C, or an associate  
2 17 probate judge in Code section 633.20C.

LSB 1658YH (3) 84

jm/rj



Iowa General Assembly  
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**House File 115 - Introduced**

HOUSE FILE  
BY HAGENOW

**A BILL FOR**

1 An Act relating to considering the educational setting of a  
2 minor child in a child custody proceeding.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1677HH (4) 84  
pf/nh





**Iowa General Assembly  
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House File 115 - Introduced continued

PAG LIN

1 1 Section 1. Section 598.10, subsection 1, Code 2011, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. c. The court shall consider the educational  
1 4 setting of any minor child in making a temporary order for  
1 5 custody. There is a rebuttable presumption that it is in the  
1 6 best interest of the minor child to remain in the educational  
1 7 setting in which the minor child was enrolled during the school  
1 8 year immediately preceding or in which the minor child is  
1 9 enrolled at the time of the entry of any temporary order for  
1 10 custody.

1 11 Sec. 2. Section 598.41, subsection 3, Code 2011, is amended  
1 12 by adding the following new paragraph:

1 13 NEW PARAGRAPH. k. The educational setting of any minor  
1 14 child. There is a rebuttable presumption that it is in the  
1 15 best interest of the minor child to remain in the educational  
1 16 setting in which the minor child was enrolled during the school  
1 17 year immediately preceding or in which the minor child is  
1 18 enrolled at the time of the entry of any order for custody.

1 19 EXPLANATION

1 20 This bill provides that in determining temporary or final  
1 21 custody orders for a minor child, the court is to consider the  
1 22 educational setting of any minor child. The bill provides  
1 23 that there is a rebuttable presumption that it is in the best  
1 24 interest of the minor child to remain in the educational  
1 25 setting in which the minor child was enrolled during the school  
1 26 year immediately preceding or at the time of entry of the  
1 27 temporary or final custody order.

LSB 1677HH (4) 84

pf/nh



Iowa General Assembly  
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## House File 116 - Introduced

HOUSE FILE  
BY JORGENSEN and IVERSON

### A BILL FOR

1 An Act relating to the compulsory school attendance age,  
2 a driver's license penalty for failure to attend, and  
3 including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1760YH (6) 84  
kh/rj



Iowa General Assembly  
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House File 116 - Introduced continued

PAG LIN

1 1 Section 1. Section 299.1A, Code 2011, is amended to read as  
1 2 follows:

1 3 299.1A Compulsory attendance age.

1 4 1. A child who has reached the age of six and is under  
1 5 ~~sixteen~~ eighteen years of age by September 15 is of compulsory  
1 6 attendance age. However, if a child enrolled in a school  
1 7 district or accredited nonpublic school reaches the age of  
1 8 ~~sixteen~~ eighteen on or after September 15, the child remains of  
1 9 compulsory age until the end of the regular school calendar.

1 10 2. The superintendent of a school district or the  
1 11 administrator of an accredited nonpublic school may waive the  
1 12 compulsory attendance requirement for a student who has reached  
1 13 the age of sixteen if the student, the student's parent or  
1 14 legal guardian, and the superintendent or administrator, as  
1 15 appropriate, agree in writing that it is in the best interest  
1 16 of the student that the student not be required to attend  
1 17 school. If the compulsory attendance requirements are waived  
1 18 for a student under this subsection, the provisions of this  
1 19 chapter shall not apply to the student.

1 20 Sec. 2. Section 299.1B, Code 2011, is amended to read as  
1 21 follows:

1 22 299.1B Failure to attend ==== driver's license.

1 23 A person who is of compulsory attendance age, is not exempt  
1 24 under section 299.2, and does not attend a public school, an  
1 25 accredited nonpublic school, competent private instruction in  
1 26 accordance with the provisions of chapter 299A, an alternative  
1 27 school, or adult education classes, shall not receive an  
1 28 intermediate or full driver's license until age eighteen. If  
1 29 the person reaches the age of eighteen on or after September  
1 30 15, the person shall not receive a restricted or a full  
1 31 driver's license until the end of the regular school calendar.

1 32 Sec. 3. Section 299A.8, Code 2011, is amended to read as  
1 33 follows:

1 34 299A.8 Dual enrollment.

1 35 If a parent, guardian, or legal custodian of a child who is



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House File 116 - Introduced continued

2 1 receiving competent private instruction under this chapter ~~or a~~  
2 2 ~~child over compulsory age who is receiving private instruction~~  
2 3 submits a request, the child shall also be registered in a  
2 4 public school for dual enrollment purposes. If the child  
2 5 is enrolled in a public school district for dual enrollment  
2 6 purposes, the child shall be permitted to participate in any  
2 7 academic activities in the district and shall also be permitted  
2 8 to participate on the same basis as public school children in  
2 9 any extracurricular activities available to children in the  
2 10 child's grade or group, and the parent, guardian, or legal  
2 11 custodian shall not be required to pay the costs of any annual  
2 12 evaluation under this chapter. If the child is enrolled for  
2 13 dual enrollment purposes, the child shall be included in the  
2 14 public school's basic enrollment under section 257.6. A pupil  
2 15 who is participating only in extracurricular activities shall  
2 16 be counted under section 257.6, subsection 1, paragraph "a",  
2 17 subparagraph (6). A pupil enrolled in grades nine through  
2 18 twelve under this section shall be counted in the same manner  
2 19 as a shared-time pupil under section 257.6, subsection 1,  
2 20 paragraph "a", subparagraph (3).  
2 21 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance  
2 22 with section 25B.2, subsection 3, the state cost of requiring  
2 23 compliance with any state mandate included in this Act shall  
2 24 be paid by a school district from state school foundation aid  
2 25 received by the school district under section 257.16. This  
2 26 specification of the payment of the state cost shall be deemed  
2 27 to meet all the state funding-related requirements of section  
2 28 25B.2, subsection 3, and no additional state funding shall  
2 29 be necessary for the full implementation of this Act by and  
2 30 enforcement of this Act against all affected school districts.  
2 31 Sec. 5. EFFECTIVE DATE. This Act takes effect July 1, 2012.  
2 32 EXPLANATION  
2 33 This bill raises the compulsory school attendance age from  
2 34 16 to 18.  
2 35 The bill makes a corresponding change to Code section 299.1B



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House File 116 - Introduced continued

3 1 to provide that a person who reaches age 18 after September 15  
3 2 is ineligible for a restricted or full license until the end  
3 3 of the regular school calendar.  
3 4 The bill authorizes the superintendent of a school district  
3 5 or the administrator of an accredited nonpublic school to waive  
3 6 the compulsory attendance requirement for a student who has  
3 7 reached the age of 16 if the student, the student's parent  
3 8 or legal guardian, and the superintendent or administrator,  
3 9 as appropriate, agree in writing that it is in the best  
3 10 interest of the student that the student not be required to  
3 11 attend school. If the compulsory attendance requirements are  
3 12 waived for a student, the provisions of the chapter, including  
3 13 provisions relating to truancy and loss of driving license  
3 14 privileges, shall not apply to the student.  
3 15 The bill includes technical amendments to eliminate a  
3 16 reference to the compulsory attendance age for purposes of dual  
3 17 enrollment.  
3 18 The bill may include a state mandate as defined in Code  
3 19 section 25B.3. The bill requires that the state cost of  
3 20 any state mandate included in the bill be paid by a school  
3 21 district from state school foundation aid received by the  
3 22 school district under Code section 257.16. The specification  
3 23 is deemed to constitute state compliance with any state mandate  
3 24 funding=related requirements of Code section 25B.2. The  
3 25 inclusion of this specification is intended to reinstate the  
3 26 requirement of political subdivisions to comply with any state  
3 27 mandates included in the bill.  
3 28 The bill takes effect July 1, 2012.

LSB 1760YH (6) 84

kh/rj



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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**House File 117 - Introduced**

HOUSE FILE  
BY HELLAND

**A BILL FOR**

1 An Act relating to environmental management system designation.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1876HH (1) 84  
tm/rj



Iowa General Assembly  
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House File 117 - Introduced continued

PAG LIN

1 1 Section 1. Section 455J.3, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 7. Construction and demolition waste  
1 4 management. Provide for the operation of a construction and  
1 5 demolition waste management program or contract with a third  
1 6 party for the operation of such a program. Such a program may  
1 7 include but is not limited to the following activities:  
1 8 a. Recycling construction and demolition waste material that  
1 9 meets standards for sustainable design, also known and referred  
1 10 to as green building standards, as provided for in section  
1 11 103A.7.  
1 12 b. Discouraging the disposal of construction and demolition  
1 13 waste material at sanitary landfills by educating those  
1 14 generating such materials about alternative options.  
1 15 c. Encouraging the combined collection of construction and  
1 16 demolition waste material from commercial and industrial sites.  
1 17 d. Targeting recycling facilities that manufacture renewable  
1 18 biomass fuels for energy generation for the disposal or  
1 19 recycling of construction and demolition waste material.  
1 20 e. Implementing programs that encourage the use of  
1 21 by-products manufactured from construction and demolition waste  
1 22 by recycling facilities.

1 23 EXPLANATION

1 24 This bill relates to environmental management system  
1 25 designation.  
1 26 In order to be designated an environmental management  
1 27 system, a solid waste planning area must actively pursue  
1 28 certain activities. The bill adds an additional activity  
1 29 relating to construction and demolition waste management that  
1 30 must be pursued in order to receive the designation.

LSB 1876HH (1) 84

tm/rj



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**House File 118 - Introduced**

HOUSE FILE

BY LUKAN, KAUFMANN,  
SWEENEY, DOLECHECK,  
J. TAYLOR, JORGENSEN,  
and GRASSLEY

**A BILL FOR**

1 An Act requiring regents institutions to adopt policies to  
2 provide student athletes injured while participating  
3 in intercollegiate sports with information relating to  
4 available services.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TL5B 1535YH (4) 84  
je/nh





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House File 118 - Introduced continued

PAG LIN

1 1 Section 1. Section 262.9, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 36. Direct each institution of higher  
1 4 education under its control to adopt a policy to facilitate the  
1 5 provision of information, to any student athlete who suffers an  
1 6 injury while participating in intercollegiate sports, relating  
1 7 to academic, medical, rehabilitative, accommodative, and other  
1 8 services available to such students from the institution.  
1 9 a. Pursuant to this subsection, the board shall direct  
1 10 each such institution to appoint a student athlete injury  
1 11 information coordinator from among the institution's staff.  
1 12 The coordinator shall be responsible for maintaining all  
1 13 information required by this subsection. The coordinator shall  
1 14 provide all such information to any student athlete injured  
1 15 while participating in intercollegiate sports who requests  
1 16 it, and shall offer assistance in accessing the services as  
1 17 the student may require. The policy shall ensure that the  
1 18 student athlete injury information coordinator is provided with  
1 19 up-to-date information on all services available to injured  
1 20 student athletes from the institution.  
1 21 b. The policy adopted pursuant to this subsection shall  
1 22 provide for prompt notification to each student athlete of  
1 23 the availability of the student athlete injury information  
1 24 coordinator, how to contact the student athlete injury  
1 25 information coordinator, and the information which the student  
1 26 athlete injury information coordinator can provide.  
1 27 c. For purposes of this subsection:  
1 28 (1) "Intercollegiate sport" means a sport played at  
1 29 the collegiate level for which eligibility requirements  
1 30 for participation by a student athlete are established by  
1 31 a national association for the promotion or regulation of  
1 32 collegiate athletics.  
1 33 (2) "Student athlete" means a person who engages in any  
1 34 intercollegiate sporting event, contest, exhibition, or  
1 35 program.



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House File 118 - Introduced continued

2 1 EXPLANATION  
2 2 This bill requires the board of regents to direct each  
2 3 institution of higher education under its control to adopt  
2 4 a policy to facilitate the provision to any student athlete  
2 5 injured while participating in intercollegiate sports of  
2 6 information relating to all relevant services available to such  
2 7 students from the institution. The bill requires the board to  
2 8 direct each institution to appoint a student athlete injury  
2 9 information coordinator from among the institution's staff  
2 10 to collect such information, provide it to injured student  
2 11 athletes upon request, and assist such students in accessing  
2 12 the services. The bill requires the policy to ensure the  
2 13 student athlete injury information coordinator is provided with  
2 14 up-to-date information about such services. The bill requires  
2 15 the policy to provide for prompt notice to each student athlete  
2 16 regarding the availability of the student athlete injury  
2 17 information coordinator.

LSB 1535YH (4) 84

je/nh



Iowa General Assembly  
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**House File 119 - Introduced**

HOUSE FILE

BY LUKAN, BYRNES,  
IVERSON, BALTIMORE,  
KOESTER, SHAW, ALONS,  
J. SMITH, HELLAND,  
SCHULTZ, CHAMBERS,  
HUSEMAN, BAUDLER,  
JORGENSEN, GARRETT,  
LOFGREN, DRAKE,  
HEATON, GRASSLEY,  
SODERBERG, KAUFMANN,  
RAYHONS, MOORE,  
WORTHAN, S. ?OLSON,  
FRY, PAUSTIAN, HANUSA,  
JACOBY, and  
RUNNING-MARQUARDT

**A BILL FOR**

1 An Act providing volunteer fire fighters and emergency medical  
2 services personnel with an individual income tax credit and  
3 including effective date and applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1592YH (3) 84  
tw/sc



Iowa General Assembly  
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House File 119 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.12, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 2A. a. A volunteer fire fighter and  
1 4 volunteer emergency medical services personnel credit equal to  
1 5 the amount specified in paragraph "b" to compensate the taxpayer  
1 6 for the voluntary services.  
1 7 b. The amount of the credit is equal to the following:  
1 8 (1) For tax years beginning in the 2012 calendar year,  
1 9 twenty=five dollars.  
1 10 (2) For tax years beginning in the 2013 calendar year, fifty  
1 11 dollars.  
1 12 (3) For tax years beginning in the 2014 calendar year,  
1 13 seventy=five dollars.  
1 14 (4) For tax years beginning in the 2015 and subsequent  
1 15 calendar years, one hundred dollars.  
1 16 c. If the taxpayer is not a volunteer fire fighter or  
1 17 volunteer emergency medical services personnel for the entire  
1 18 tax year, the amount of the dollar credit shall be prorated  
1 19 and the amount of credit shall equal the maximum amount of  
1 20 credit for the tax year, divided by twelve, multiplied by the  
1 21 number of months in the tax year the taxpayer was a volunteer.  
1 22 The credit shall be rounded to the nearest five dollars. If  
1 23 the taxpayer is a volunteer during any part of a month, the  
1 24 taxpayer shall be considered a volunteer for the entire month.  
1 25 If the taxpayer is a volunteer fire fighter and a volunteer  
1 26 emergency medical services personnel during the same month, a  
1 27 credit may be claimed for only one volunteer position for that  
1 28 month.  
1 29 d. The taxpayer is required to have a written statement  
1 30 from the fire chief or other appropriate supervisor verifying  
1 31 that the taxpayer was a volunteer fire fighter or volunteer  
1 32 emergency medical services personnel for the months for which  
1 33 the credit under this subsection is claimed.  
1 34 e. For purposes of this subsection:  
1 35 (1) "Emergency medical services personnel" means an emergency



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House File 119 - Introduced continued

2 1 medical care provider, as defined in section 147A.1, who is  
2 2 certified as a first responder pursuant to chapter 147A.  
2 3 (2) "Volunteer fire fighter" means a volunteer fire fighter  
2 4 as defined in section 85.61 who has met the minimum training  
2 5 standards established by the fire service training bureau  
2 6 pursuant to chapter 100B.

2 7 Sec. 2. EFFECTIVE DATE AND APPLICABILITY. This Act takes  
2 8 effect January 1, 2012, for tax years beginning on or after  
2 9 that date.

2 10 EXPLANATION

2 11 This bill provides a nonrefundable individual income tax  
2 12 credit for an individual who was a volunteer fire fighter who  
2 13 has met the minimum training standards or certified volunteer  
2 14 emergency medical services personnel for the entire tax year.  
2 15 The credit is to compensate the individual for the volunteer  
2 16 services. The amount of the credit equals \$25 for the 2012 tax  
2 17 year and increases by \$25 for each subsequent tax year until  
2 18 the credit equals \$100. If the individual was not a volunteer  
2 19 for the entire tax year, the amount of credit is prorated based  
2 20 upon the months of volunteer service. A credit may be claimed  
2 21 for only one volunteer position per month.

2 22 The bill takes effect January 1, 2012, for tax years  
2 23 beginning on or after that date.

LSB 1592YH (3) 84

tw/sc



Iowa General Assembly  
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**House File 120 - Introduced**

HOUSE FILE  
BY HELLAND

(COMPANION TO lsb  
1878SS by ward)

**A BILL FOR**

1 An Act authorizing a retrieval fee for copies of certain  
2 medical records or reports in workers' compensation cases.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1878HH (5) 84  
av/nh



Iowa General Assembly  
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House File 120 - Introduced continued

PAG LIN

1 1 Section 1. Section 86.39, Code 2011, is amended to read as  
1 2 follows:

1 3 86.39 Fees ==== approval.

1 4 1. All fees or claims for legal, medical, hospital, and  
1 5 burial services rendered under this chapter and chapters 85,  
1 6 85A, 85B, and 87 are subject to the approval of the workers'  
1 7 compensation commissioner. For services rendered in the  
1 8 district court and appellate courts, the attorney fee is  
1 9 subject to the approval of a judge of the district court.

1 10 2. The workers' compensation commissioner shall approve a  
1 11 claim for a retrieval fee of up to twenty-five dollars payable  
1 12 to a medical provider or its agent for each request made  
1 13 for duplicate records or reports for which a copying fee is  
1 14 allowable. However, total claims for retrieval fees approved  
1 15 shall not exceed fifty dollars.

1 16 EXPLANATION

1 17 This bill requires the workers' compensation commissioner to  
1 18 approve a claim for a retrieval fee of up to \$25 payable to a  
1 19 medical provider or its agent for each request made for copies  
1 20 of duplicate records or reports for which the commissioner  
1 21 allows a copying fee, but not to exceed a total of \$50 for such  
1 22 retrieval fees. Currently, pursuant to administrative rule  
1 23 IAC 876 ==== 8.9, a medical provider or its agent is required to  
1 24 furnish an employer or insurance carrier with copies of the  
1 25 initial and final clinical assessment of an injured employee  
1 26 without cost but is allowed to charge a fee for additional  
1 27 copies. This rule also sets forth the maximum copying fees  
1 28 that can be charged for the additional copies based on the  
1 29 number of pages copied.

LSB 1878HH (5) 84

av/nh



Iowa General Assembly  
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## House File 121 - Introduced

HOUSE FILE  
BY WINDSCHITL

### A BILL FOR

1 An Act relating to the exemption of firearms, firearm  
2 accessories, and ammunition manufactured and retained in  
3 Iowa from federal regulation and including applicability  
4 provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1426YH (6) 84  
rh/rj





Iowa General Assembly  
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House File 121 - Introduced continued

PAG LIN

1 1 Section 1. Section 724.2, subsection 6, Code 2011, is  
1 2 amended to read as follows:

1 3 6. Any person, firm, or corporation who under the laws of  
1 4 this state and the United States is lawfully engaged in the  
1 5 improvement, invention, or manufacture of firearms, firearm  
1 6 accessories, or ammunition.

1 7 Sec. 2. NEW SECTION. 724.28A Preemption === manufacture,  
1 8 sale, and retention of firearms, firearm accessories, and  
1 9 ammunition.

1 10 1. a. Any firearm, firearm accessory, or ammunition  
1 11 manufactured in this state that remains within the borders of  
1 12 this state is not subject to federal law or federal regulation,  
1 13 including registration, under the authority of the Congress of  
1 14 the United States to regulate interstate commerce.

1 15 b. This section applies to any firearm, firearm accessory,  
1 16 or ammunition manufactured in this state from basic materials  
1 17 that can be manufactured without including any significant  
1 18 parts imported from another state. Generic and insignificant  
1 19 parts that have other manufacturing or consumer product  
1 20 applications are not firearms, firearm accessories, or  
1 21 ammunition, and their importation into this state and  
1 22 incorporation into a firearm, firearm accessory, or ammunition  
1 23 manufactured in this state does not subject the firearm,  
1 24 firearm accessory, or ammunition to federal regulation.

1 25 2. As used in this section:

1 26 a. "Firearm accessory" means any item that is used in  
1 27 conjunction with or mounted upon a firearm but that is not  
1 28 essential to the basic function of a firearm, including  
1 29 but not limited to a telescopic or laser sight, magazine,  
1 30 flash or sound suppressor, folding or aftermarket stock or  
1 31 grip, speedloader, ammunition carrier, and light for target  
1 32 illumination.

1 33 b. "Generic and insignificant parts" include but are not  
1 34 limited to springs, screws, nuts, and pins.

1 35 c. "Manufactured" means that a firearm, firearm accessory,



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2 1 or ammunition has been created from basic materials for  
2 2 functional usefulness, including but not limited to forging,  
2 3 casting, machining, or other processes for working materials.  
2 4 3. This section shall not apply to any of the following:  
2 5 a. A firearm that cannot be carried and used by one person.  
2 6 b. A firearm that has a bore diameter greater than one  
2 7 and one-half inches and that uses smokeless powder, not black  
2 8 powder, as a propellant.  
2 9 c. Ammunition with a projectile that explodes using an  
2 10 explosion of chemical energy after the projectile leaves the  
2 11 firearm.  
2 12 d. A firearm that discharges two or more projectiles with  
2 13 one activation of the trigger or other firing device.

2 14 4. Any firearm, firearm accessory, or ammunition  
2 15 manufactured in this state pursuant to this section shall have  
2 16 the words "Made in Iowa" clearly stamped on a central part of  
2 17 the firearm, firearm accessory, or ammunition.

2 18 Sec. 3. APPLICABILITY. This Act applies to firearms,  
2 19 firearm accessories, and ammunition manufactured and retained  
2 20 in this state on or after October 1, 2011.

2 21 EXPLANATION

2 22 This bill provides that firearms, firearm accessories, and  
2 23 ammunition manufactured and retained in Iowa are not subject to  
2 24 federal regulation and provides an applicability date.

2 25 The bill specifies that any firearm, firearm accessory, or  
2 26 ammunition manufactured in Iowa that remains within Iowa is  
2 27 not subject to federal law or federal regulation, including  
2 28 registration, under the authority of the United States Congress  
2 29 to regulate interstate commerce. The bill applies to any  
2 30 firearm, firearm accessory, or ammunition manufactured in Iowa  
2 31 from basic materials that can be manufactured without including  
2 32 any significant parts imported from another state. Generic and  
2 33 insignificant parts that have other manufacturing or consumer  
2 34 product applications are not firearms, firearm accessories, or  
2 35 ammunition, and their importation into Iowa and incorporation



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3 1 into a firearm, firearm accessory, or ammunition manufactured  
3 2 in Iowa does not subject the firearm, firearm accessory, or  
3 3 ammunition to federal regulation.

3 4 "Firearm accessory" is defined as any item that is used  
3 5 in conjunction with or mounted upon a firearm but that is  
3 6 not essential to the basic function of a firearm, including  
3 7 but not limited to a telescopic or laser sight, magazine,  
3 8 flash or sound suppressor, folding or aftermarket stock or  
3 9 grip, speedloader, ammunition carrier, and light for target  
3 10 illumination. "Generic and insignificant parts" are defined  
3 11 to include but not be limited to springs, screws, nuts, and  
3 12 pins, and "manufactured" is defined to mean that a firearm,  
3 13 firearm accessory, or ammunition has been created from basic  
3 14 materials for functional usefulness, including but not limited  
3 15 to forging, casting, machining, or other processes for working  
3 16 materials.

3 17 The bill does not apply to a firearm that cannot be carried  
3 18 and used by one person, a firearm that has a bore diameter  
3 19 greater than one and one-half inches and that uses smokeless  
3 20 powder as a propellant, ammunition with a projectile that  
3 21 explodes using an explosion of chemical energy after the  
3 22 projectile leaves the firearm, and a firearm that discharges  
3 23 two or more projectiles with one activation of the trigger or  
3 24 other firing device.

3 25 A firearm, firearm accessory, or ammunition manufactured in  
3 26 Iowa under the bill shall have the words "Made in Iowa" clearly  
3 27 stamped on a central part of the firearm, firearm accessory,  
3 28 or ammunition.

3 29 The bill makes a conforming change to Code section 724.2 to  
3 30 authorize any person, firm, or corporation lawfully engaged in  
3 31 the improvement, invention, or manufacture of firearms, firearm  
3 32 accessories, or ammunition to lawfully possess such items.

3 33 The bill applies to firearms, firearm accessories, and  
3 34 ammunition manufactured and retained in Iowa on or after  
3 35 October 1, 2011.

LSB 1426YH (6) 84

rh/rj



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## House File 122 - Introduced

HOUSE FILE  
BY HAGENOW

### A BILL FOR

1 An Act relating to the authority to possess offensive  
2 weapons and the carrying of weapons by a licensed private  
3 investigator and a licensed private security officer.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2083HH (2) 84  
rh/rj



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1 1 Section 1. Section 724.2, Code 2011, is amended by adding  
1 2 the following new subsection:

1 3 NEW SUBSECTION. 4A. A private investigator or a private  
1 4 security officer who possesses a valid license pursuant to  
1 5 chapter 80A.

1 6 Sec. 2. Section 724.4, subsection 4, Code 2011, is amended  
1 7 by adding the following new paragraph:

1 8 NEW PARAGRAPH. 1. A private investigator or a private  
1 9 security officer who possesses a valid license pursuant to  
1 10 chapter 80A, while engaged in the performance of official  
1 11 duties.

1 12 Sec. 3. Section 724.4B, subsection 2, paragraph a, Code  
1 13 2011, is amended to read as follows:

1 14 a. A person listed under section 724.4, subsection 4,  
1 15 paragraphs "b" through "f", ~~or~~ "j", or "l".

1 16 EXPLANATION

1 17 This bill relates to the authority to possess offensive  
1 18 weapons and the carrying of weapons by a licensed private  
1 19 investigator and a licensed private security officer.

1 20 The bill allows a private investigator or a private security  
1 21 officer who possesses a valid license pursuant to Code chapter  
1 22 80A to possess offensive weapons, when the person's duties  
1 23 or lawful activities require or permit such possession. An  
1 24 offensive weapon is defined in Code section 724.1 to include a  
1 25 machine gun, a short-barreled rifle or short-barreled shotgun,  
1 26 certain other weapons which fire or can be made to fire a  
1 27 projectile by the explosion of a propellant charge, a bomb,  
1 28 grenade, or mine, any rocket having a propellant charge of more  
1 29 than four ounces, certain rockets, missiles, and other similar  
1 30 devices, a ballistic knife, any part or combination of parts  
1 31 to be used to convert any device into an offensive weapon,  
1 32 certain bullets, projectiles, shotshells, or cartridges, any  
1 33 mechanical device specifically constructed and designed so that  
1 34 when attached to a firearm silences, muffles, or suppresses the  
1 35 sound when fired, an antique firearm or collector's firearm,



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2 1 any device which is not designed or redesigned for use as a  
2 2 weapon including signaling, pyrotechnic, line=throwing, or  
2 3 safety devices, and unserviceable firearms.  
2 4 The bill authorizes a private investigator or a private  
2 5 security officer who possesses a valid license pursuant to  
2 6 Code chapter 80A, while engaged in the performance of official  
2 7 duties, to carry a dangerous weapon. Under Code section 702.7,  
2 8 dangerous weapons include but are not limited to any offensive  
2 9 weapon, pistol, revolver, or other firearm, dagger, razor,  
2 10 stiletto, switchblade knife, knife having a blade exceeding  
2 11 five inches in length, or any portable device or weapon  
2 12 directing an electric current, impulse, wave, or beam that  
2 13 produces a high=voltage pulse designed to immobilize a person.  
2 14 The bill authorizes a private investigator or a private  
2 15 security officer who possesses a valid license pursuant to  
2 16 Code chapter 80A, while engaged in the performance of official  
2 17 duties, to carry a firearm on school grounds pursuant to Code  
2 18 section 724.4B.

LSB 2083HH (2) 84

rh/rj



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**House File 123 - Introduced**

HOUSE FILE  
BY WATTS, KOESTER,  
WORTHAN, PEARSON,  
GARRETT, THOMAS,  
COWNIE, and BALTIMORE

**A BILL FOR**

1 An Act relating to certain fees associated with solid waste.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1631YH (3) 84  
tm/nh



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1 1 Section 1. Section 455B.105, subsection 11, Code 2011, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. d. Any fee schedule adopted by the  
1 4 commission regarding the regulation of division IV, part 1 of  
1 5 this chapter shall not include fees that exceed the actual,  
1 6 identifiable amount necessary for such regulatory activities.  
1 7 Sec. 2. Section 455B.304, Code 2011, is amended by adding  
1 8 the following new subsection:  
1 9 NEW SUBSECTION. 20. The commission shall adopt rules  
1 10 prohibiting a planning area from imposing a fee on the disposal  
1 11 of solid waste, including construction and demolition waste, at  
1 12 a sanitary landfill outside the planning area when the solid  
1 13 waste is being hauled by the person who generated the solid  
1 14 waste inside the planning area and the solid waste does not  
1 15 exceed one ton at the time of disposal.  
1 16 EXPLANATION  
1 17 This bill relates to certain fees associated with solid  
1 18 waste.  
1 19 The bill prohibits the environmental protection commission,  
1 20 when adopting a fee schedule regarding the regulation of  
1 21 certain solid waste-related Code sections, from adopting fees  
1 22 that exceed the actual identifiable amount necessary for such  
1 23 regulatory activities.  
1 24 The bill requires the environmental protection commission  
1 25 to adopt rules prohibiting a planning area from imposing a fee  
1 26 on the disposal of solid waste at a sanitary landfill outside  
1 27 the planning area when the solid waste is being hauled by the  
1 28 person who generated the solid waste inside the planning area  
1 29 and the solid waste does not exceed one ton at the time of  
1 30 disposal.

LSB 1631YH (3) 84  
tm/nh





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**House File 124 - Introduced**

HOUSE FILE  
BY DOLECHECK

**A BILL FOR**

1 An Act replacing the charter school establishment option under  
2 the state's system of public education.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TL5B 1428YH (4) 84  
kh/rj



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House File 124 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 256J.1 Charter schools.  
1 2 1. The board of directors of a school district, the  
1 3 administrators of an accredited nonpublic school, the board of  
1 4 directors of a community college, the state board of regents,  
1 5 an accredited private institution as defined in section 261.9,  
1 6 or a private nonprofit corporation organized under chapter 504  
1 7 may submit an application to the state board to establish a  
1 8 charter school. The state board shall adopt rules specifying  
1 9 the criteria for approval of charter schools. The department  
1 10 shall develop an application process. The applicant shall  
1 11 specify in its application all of the following:  
1 12 a. Mission and instructional focus of the school.  
1 13 b. Organizational structure and management of the school.  
1 14 c. Impact of labor agreements and contracts on the success  
1 15 of the school.  
1 16 d. Roles and responsibilities of all involved  
1 17 constituencies.  
1 18 e. Arrangements for special needs students.  
1 19 f. Connection of the school to the school district.  
1 20 g. Facility and operation costs.  
1 21 h. Methods for measuring results, including but not limited  
1 22 to student achievement results.  
1 23 2. For purposes of this section, "charter school" means a  
1 24 school that is nonsectarian in its program, admission policies,  
1 25 employment practices, and all other operations. The school is  
1 26 a public school and is part of the state's system of public  
1 27 education. The primary focus of a charter school shall be to  
1 28 provide a comprehensive program of instruction for at least one  
1 29 grade or age group from five through eighteen years of age.  
1 30 Charter schools may be designed to provide significant autonomy  
1 31 for the schools. However, charter schools shall be accountable  
1 32 for significant results, including but not limited to student  
1 33 achievement levels higher than the statewide average.  
1 34 3. Except as provided in this subsection, charter schools  
1 35 are exempt from all statutes and rules applicable to a school,



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2 1 a school board, or a school district, although a charter school  
2 2 may elect to comply with one or more provisions of statute  
2 3 or rule. A charter school shall meet all applicable state  
2 4 and local health and safety requirements; the provisions of  
2 5 chapters 21 and 22 shall apply to meetings and records of a  
2 6 charter school board; and a charter school is subject to and  
2 7 shall comply with chapters 216 and 216A relating to civil and  
2 8 human rights, sections 275.55A, 279.9A, 280.17B, 280.21B, and  
2 9 282.4, relating to suspension and expulsion of a student,  
2 10 and chapter 285 relating to the transportation of students.  
2 11 The charter school shall employ or contract with necessary  
2 12 teachers, as defined in section 272.1, who hold a valid license  
2 13 with an endorsement for the type of service for which the  
2 14 teacher is employed. Charter schools are subject to the same  
2 15 financial audits, audit procedures, and audit requirements as  
2 16 a school district. The audits shall be consistent with the  
2 17 requirements of sections 11.6, 11.14, 11.19, 256.9, subsection  
2 18 20, and section 279.29, except to the extent deviations are  
2 19 necessary because of the program at a charter school. The  
2 20 department, auditor of state, or the legislative services  
2 21 agency may conduct financial, program, or compliance audits.  
2 22 The provisions of chapter 20 shall not apply to the board of  
2 23 directors of a charter school or its employees.  
2 24 4. A student enrolled in a charter school shall be counted,  
2 25 for state school foundation aid purposes, in the student's  
2 26 district of residence. A student's residence, for purposes  
2 27 of this section, means a residence under section 282.1. The  
2 28 board of directors of the district of residence shall pay to  
2 29 the charter school the state cost per pupil for the previous  
2 30 school year, plus any moneys received for the student as a  
2 31 result of the non-English speaking weighting under section  
2 32 280.4, subsection 3, for the previous school year multiplied by  
2 33 the state cost per pupil for the previous year.  
2 34 Sec. 2. Section 282.9, subsection 1, Code 2011, is amended  
2 35 to read as follows:



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3 1 1. Notwithstanding sections 275.55A, ~~256F.4,~~ and 282.18,  
3 2 or any other provision to the contrary, prior to knowingly  
3 3 enrolling an individual who is required to register as a sex  
3 4 offender under chapter 692A, but who is otherwise eligible  
3 5 to enroll in a public school, the board of directors of a  
3 6 school district shall determine the educational placement of  
3 7 the individual. Upon receipt of notice that a student who  
3 8 is enrolled in the district is required to register as a sex  
3 9 offender under chapter 692A, the board shall determine the  
3 10 educational placement of the student. The tentative agenda  
3 11 for the meeting of the board of directors at which the board  
3 12 will consider such enrollment or educational placement shall  
3 13 specifically state that the board is considering the enrollment  
3 14 or educational placement of an individual who is required  
3 15 to register as a sex offender under chapter 692A. If the  
3 16 individual is denied enrollment in a school district under this  
3 17 section, the school district of residence shall provide the  
3 18 individual with educational services in an alternative setting.  
3 19 Sec. 3. Section 282.18, subsection 4, paragraph b, Code  
3 20 2011, is amended to read as follows:  
3 21 b. For purposes of this section, "good cause" means a change  
3 22 in a child's residence due to a change in family residence, a  
3 23 change in the state in which the family residence is located,  
3 24 a change in a child's parents' marital status, a guardianship  
3 25 or custody proceeding, placement in foster care, adoption,  
3 26 participation in a foreign exchange program, or participation  
3 27 in a substance abuse or mental health treatment program, a  
3 28 change in the status of a child's resident district such as  
3 29 removal of accreditation by the state board, surrender of  
3 30 accreditation, or permanent closure of a nonpublic school,  
3 31 ~~revocation closure of a charter school contract as provided in~~  
~~3 32 section 256F.8,~~ the failure of negotiations for a whole grade  
3 33 sharing, reorganization, dissolution agreement or the rejection  
3 34 of a current whole grade sharing agreement, or reorganization  
3 35 plan. If the good cause relates to a change in status of a



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4 1 child's school district of residence, however, action by a  
4 2 parent or guardian must be taken to file the notification  
4 3 within forty=five days of the last board action or within  
4 4 thirty days of the certification of the election, whichever is  
4 5 applicable to the circumstances.

4 6       Sec. 4. TRANSITIONAL PROVISION. A charter school  
4 7 established pursuant to chapter 256F, Code 2011, may continue  
4 8 to operate in compliance with chapter 256F, Code 2011, or  
4 9 the charter school contract may be modified to meet the  
4 10 requirements of chapter 256J as enacted in this Act.

4 11       Sec. 5. REPEAL. Chapter 256F, Code 2011, is repealed.

4 12                               EXPLANATION

4 13       This bill provides for the establishment of charter  
4 14 schools by any of the following: school districts, accredited  
4 15 nonpublic schools, public and private accredited postsecondary  
4 16 institutions, and private nonprofit corporations. The bill  
4 17 requires the entities to apply to the state board of education,  
4 18 directs the state board to specify criteria for the approval of  
4 19 charter schools, directs the department of education to develop  
4 20 an application process, and specifies what the applicant must  
4 21 include in the application.

4 22       The bill defines a charter school as nonsectarian in its  
4 23 program, admission policies, employment practices, and all  
4 24 other operations. The school is a public school and is part  
4 25 of the state's system of public education. The primary focus  
4 26 of a charter school is to provide a comprehensive program of  
4 27 instruction for at least one grade or age group from 5=18 years  
4 28 of age. Charter schools may be designed to provide significant  
4 29 autonomy for the schools. However, charter schools shall  
4 30 be accountable for significant results, including but not  
4 31 limited to student achievement levels higher than the statewide  
4 32 average.

4 33       Charter schools are exempt from all statutes and rules  
4 34 applicable to a school, a school board, or a school district,  
4 35 except as specified in the bill, but may elect to comply with



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5 1 one or more provisions of statute or rule. A charter school  
5 2 must meet all applicable state and local health and safety  
5 3 requirements; comply with the open meetings and records laws;  
5 4 comply with civil and human rights laws; comply with Code  
5 5 provisions related to suspension and expulsion of a student;  
5 6 provide for transportation of students; and employ or contract  
5 7 with necessary teachers who hold a valid license with an  
5 8 endorsement for the type of service for which the teacher is  
5 9 employed. Charter schools are subject to the same financial  
5 10 audits, procedures, and requirements as a school district,  
5 11 except to the extent deviations are necessary because of the  
5 12 program at the school. The provisions of Code chapter 20  
5 13 relating to collective bargaining do not apply to the board of  
5 14 directors of a charter school or its employees.

5 15 A student enrolled in a charter school shall be counted, for  
5 16 state school foundation aid purposes, in the student's district  
5 17 of residence. The district of residence shall pay to the  
5 18 charter school the state cost per pupil for the previous school  
5 19 year, plus any moneys received for the student as a result of  
5 20 the non-English speaking weighting for the previous school year  
5 21 multiplied by the state cost per pupil for the previous year.

5 22 The bill repeals Code chapter 256F, and provides that a  
5 23 charter school established under the repealed Code chapter  
5 24 may continue to operate in compliance with the repealed Code  
5 25 chapter, or the charter school contract may be modified to meet  
5 26 the requirements of new Code chapter 256J as enacted in the  
5 27 bill.

LSB 1428YH (4) 84

kh/rj



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## House File 125 - Introduced

HOUSE FILE  
BY WINDSCHITL

### A BILL FOR

1 An Act requiring testing of family investment program  
2 applicants and participants for use of controlled  
3 substances.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1360YH (4) 84  
jp/nh



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House File 125 - Introduced continued

PAG LIN

1 1 Section 1. Section 239B.2, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 9. Controlled substance testing. As  
1 4 authorized by the federal Personal Responsibility and Work  
1 5 Opportunity Reconciliation Act of 1996, Pub. L. No. 104=193, {  
1 6 902, as codified in 21 U.S.C. { 826b, as a condition of initial  
1 7 eligibility for adult applicants, the department shall require  
1 8 a test for use of controlled substances. As a condition of  
1 9 continuing eligibility for adult participants, the department  
1 10 shall require periodic testing for such use. If there is  
1 11 a positive test result indicating the use of a controlled  
1 12 substance that is not authorized by a qualified health care  
1 13 provider, the department shall require action by the applicant  
1 14 or participant to address the controlled substance use. An  
1 15 applicant or participant who does not comply with the required  
1 16 action shall not receive program benefits while noncompliant.

1 17 EXPLANATION

1 18 This bill directs the department of human services to  
1 19 require initial and periodic testing of family investment  
1 20 program applicants and participants for the use of controlled  
1 21 substances. The testing requirement is authorized by federal  
1 22 law cited in the bill.

1 23 If there is a positive test result indicating the use of  
1 24 a controlled substance that is not authorized by a qualified  
1 25 health care provider, the department is directed to require  
1 26 action by the applicant or participant to address the  
1 27 controlled substance use. An applicant or participant does not  
1 28 receive program benefits while noncompliant with the required  
1 29 actions.

LSB 1360YH (4) 84

jp/nh





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**House File 126 - Introduced**

HOUSE FILE  
BY COMMITTEE ON ETHICS

(SUCCESSOR TO HSB 14)

**A BILL FOR**

1 An Act relating to the filing of lobbyist registrations and  
2 lobbyist's client reports with the general assembly.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1669HV (1) 84  
tm/rj



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1 1 Section 1. Section 68B.36, Code 2011, is amended to read as  
1 2 follows:  
1 3 68B.36 Applicability ==== lobbyist registration required.  
1 4 1. All lobbyists shall, on or before the day their lobbying  
1 5 activity begins, register by electronically filing a lobbyist's  
1 6 registration statement at times and in the manner provided in  
1 7 this section. In addition to any other information required by  
1 8 the general assembly ~~and the board~~, a lobbyist shall identify  
1 9 in the registration statement all clients of the lobbyist  
1 10 and whether the lobbyist will also be lobbying the executive  
1 11 branch. Lobbyists engaged in lobbying activities before  
1 12 the general assembly and before the office of the governor  
1 13 or any state agency shall file the statement with the chief  
1 14 clerk of the house of representatives or the secretary of the  
1 15 senate. ~~Lobbyists engaged in lobbying activities before the~~  
~~1 16 office of the governor or any state agency shall file the~~  
~~1 17 statement with the board.~~ The chief clerk of the house and the  
1 18 secretary of the senate shall ~~provide appropriate registration~~  
~~1 19 forms to lobbyists before the general assembly. The board~~  
~~1 20 shall prescribe appropriate registration forms for lobbyists~~  
~~1 21 before the office of the governor and state agencies establish~~  
1 22 an internet site for the electronic filing of lobbyist  
1 23 registrations.  
1 24 2. Registration shall be valid from the date of registration  
1 25 until ~~the expiration of the registration period for the type~~  
~~1 26 of lobbying in which the person will be engaging the end of the~~  
1 27 calendar year. Any change in or addition to the information  
1 28 shall be registered within ten days after the change or  
1 29 addition is known to the lobbyist. ~~Changes or additions for~~  
~~1 30 executive branch lobbyists shall be filed with the board.~~  
1 31 Changes or additions for registrations of lobbyists ~~of the~~  
~~1 32 general assembly~~ shall be filed with either the chief clerk of  
1 33 the house or the secretary of the senate.  
1 34 3. ~~For persons registered to lobby before the general~~  
~~1 35 assembly, registration expires upon the commencement of the~~



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~~2 1 next regular session of the general assembly, except that the~~  
~~2 2 chief clerk of the house and the secretary of the senate may~~  
~~2 3 adopt and implement a reasonable preregistration procedure~~  
~~2 4 in advance of each regular session during which persons~~  
~~2 5 may register for that session and the following legislative~~  
~~2 6 interim. For persons registered to lobby before the office of~~  
~~2 7 the governor or a state agency, registration expires upon the~~  
~~2 8 commencement of a new calendar year. The board may adopt and~~  
~~2 9 implement a reasonable preregistration procedure in advance of~~  
~~2 10 each new calendar year during which persons may register for~~  
~~2 11 that year. Beginning December 1 of each year, a person may~~  
~~2 12 preregister to lobby for the following calendar year.~~  
2 13 4. If a lobbyist's service on behalf of all clients,  
2 14 employers, or causes is concluded prior to the end of the  
2 15 calendar year, the lobbyist may cancel the registration on  
~~2 16 appropriate forms supplied by the board, the chief clerk of the~~  
~~2 17 house, or the secretary of the senate. The cancellation forms~~  
~~2 18 shall be filed by the lobbyist in the place where the lobbyist~~  
~~2 19 filed the original registration by electronically filing a~~  
2 20 notice of cancellation with the chief clerk of the house or the  
2 21 secretary of the senate. Upon cancellation of registration, a  
2 22 lobbyist is prohibited from engaging in any lobbying activity  
2 23 on behalf of any employer, client, or cause until reregistering  
2 24 and complying with the rules of the board or the general  
~~2 25 assembly.~~  
2 26 5. Federal, state, and local officials who wish to lobby  
2 27 in opposition to the official position of their departments,  
2 28 commissions, boards, or agencies must indicate this on their  
2 29 lobbyist registration statements.  
2 30 6. The chief clerk of the house or the secretary of the  
2 31 senate shall post all lobbyist registrations in a searchable  
2 32 database on an internet site. The board shall establish a link  
2 33 on the internet site of the board to the lobbyist registration  
2 34 information on the general assembly's internet site.  
2 35 Sec. 2. Section 68B.38, Code 2011, is amended to read as



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3 1 follows:

3 2 68B.38 Lobbyist's client reporting.

3 3 1. On or before July 31 of each year, a lobbyist's client  
3 4 shall electronically file with the general assembly ~~and board~~  
3 5 a report that contains information on all salaries, fees,  
3 6 retainers, and reimbursement of expenses paid by the lobbyist's  
3 7 client to the lobbyist for lobbying purposes during the  
3 8 preceding twelve calendar months, concluding on June 30 of each  
3 9 year. The amount reported to the general assembly ~~and the~~  
~~3 10 board~~ shall include the total amount of all salaries, fees,  
3 11 retainers, and reimbursement of expenses paid to a lobbyist for  
3 12 lobbying both the legislative and executive branches.

3 13 2. ~~Reports by a lobbyist's clients shall be filed with~~  
~~3 14 the same entity with which the lobbyist filed the lobbyist's~~  
~~3 15 registration.~~ The chief clerk of the house and the secretary  
3 16 of the senate shall establish an internet site for the filing  
3 17 of lobbyist's client reports in an electronic format.  
3 18 3. ~~The secretary of the senate, chief clerk of the house,~~  
~~3 19 and the board shall develop forms to implement this section.~~  
3 20 The chief clerk of the house and the secretary of the senate  
3 21 shall post all lobbyist's client reports filed pursuant to this  
3 22 section in a searchable database on an internet site. The  
3 23 board shall establish a link on the internet site of the board  
3 24 to the lobbyist's client report information on the general  
3 25 assembly's internet site.

3 26 EXPLANATION

3 27 This bill relates to the filing of lobbyist registrations  
3 28 and lobbyist's client reports with the general assembly.

3 29 Currently, a person engaged in lobbying activities before  
3 30 the general assembly files a lobbyist registration with the  
3 31 general assembly and a person engaged in lobbying activities  
3 32 before the office of the governor or any state agency files  
3 33 a lobbyist registration with the ethics and campaign finance  
3 34 disclosure board. The bill eliminates the requirements  
3 35 related to filing with the board and provides that regardless



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4 1 of where the lobbying activities take place all lobbyist  
4 2 registrations are filed with the general assembly. The bill  
4 3 requires all lobbyist registrations to be filed electronically  
4 4 and the general assembly is required to post all lobbyist  
4 5 registrations in a searchable database on an internet site.  
4 6 The bill requires the board to establish a link on the internet  
4 7 site of the board to the lobbyist registration information on  
4 8 the general assembly's internet site. The bill unifies the  
4 9 legislative branch and executive branch lobbyist registration  
4 10 periods by making all registrations valid from the date of the  
4 11 registration to the end of the calendar year. The bill allows  
4 12 for preregistration for the following calendar year beginning  
4 13 on December 1 of each year.  
4 14 Currently, a lobbyist's client is required to file an annual  
4 15 report with both the general assembly and the board based  
4 16 on the entity with which the lobbyist filed the lobbyist's  
4 17 registration. The bill requires all lobbyist's client  
4 18 reports to be filed with the general assembly and that the  
4 19 general assembly shall post all lobbyist's client reports in  
4 20 a searchable database on an internet site. The bill requires  
4 21 the board to establish a link on the internet site of the board  
4 22 to the lobbyist's client report information on the general  
4 23 assembly's internet site.

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tm/rj



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## House Resolution 3 - Introduced

PAG LIN

### HOUSE RESOLUTION NO.

BY WATTS, MASSIE, CHAMBERS, BYRNES, BAUDLER,  
FORRISTALL, L.?MILLER, SODERBERG, DEYOE, S.?OLSON,  
DRAKE, RAYHONS, SWEENEY, BRANDENBURG, and WORTHAN

1 1 A Resolution relating to the regulation of intrastate  
1 2 waters.

1 3 WHEREAS, the Tenth Amendment to the United States  
1 4 Constitution provides powers not granted to the  
1 5 federal government nor prohibited to the states by the  
1 6 Constitution are reserved to the states, establishing  
1 7 federalism and state sovereignty as integral founding  
1 8 principles of American government; and

1 9 WHEREAS, the United States Supreme Court in Solid  
1 10 Waste Agency of Northern Cook County v. United States  
1 11 Army Corps of Engineers, 531 U.S. 159 (2001) and in  
1 12 Rapanos v. United States, 547 U.S. 715 (2006) held that  
1 13 the federal Water Pollution Control Act (the Clean  
1 14 Water Act) did not intend to grant federal authority  
1 15 over intrastate waters and that intrastate waters were  
1 16 not subject to regulation under the interstate commerce  
1 17 clause; and

1 18 WHEREAS, legislation has previously been introduced  
1 19 in the United States Congress to expand the Clean Water  
1 20 Act's jurisdiction to include intrastate waters; and

1 21 WHEREAS, the expanded jurisdiction under the  
1 22 proposed legislation would grant the United States  
1 23 Environmental Protection Agency broad and vague  
1 24 flexibility to interpret federal jurisdiction  
1 25 expansively, which the agency attempted to do under the  
1 26 current Clean Water Act and which the United States  
1 27 Supreme Court prevented the agency from doing; and

1 28 WHEREAS, the proposed expanded jurisdiction would



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House Resolution 3 - Introduced continued

2 1 severely diminish state sovereignty over its natural  
2 2 resources, and would detrimentally involve the federal  
2 3 government in an inefficient and cumbersome effort  
2 4 to regulate highly localized water resources such as  
2 5 abandoned pits and ponds; and

2 6 WHEREAS, jurisdiction over intrastate water  
2 7 resources is a role traditionally held by individual  
2 8 state governments in order to promote efficient and  
2 9 effective usage of intrastate water resources; NOW  
2 10 THEREFORE,

2 11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
2 12 the State of Iowa supports the continued sovereignty  
2 13 and jurisdiction of the states to regulate intrastate  
2 14 water resources and opposes any attempt by the federal  
2 15 government to diminish this jurisdiction unnecessarily.

LSB 1636YH (4) 84

tm/rj



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House Resolution 4 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY WATTS

1 1 A Resolution calling for the withdrawal of the state  
1 2 of Iowa from the Midwestern Regional Greenhouse Gas  
1 3 Reduction Accord.  
1 4 WHEREAS, there has been no credible economic  
1 5 analysis of the costs associated with carbon=reduction  
1 6 mandates and the consequential effect of the increasing  
1 7 costs of conducting business in this state; and  
1 8 WHEREAS, forcing business, industry, and food  
1 9 producers to reduce carbon emissions through government  
1 10 mandates and cap=and=trade policies under consideration  
1 11 for the regional climate initiative will increase the  
1 12 cost of conducting business, push companies to conduct  
1 13 business with other states or nations, and increase  
1 14 consumer costs for electricity, fuel, and food; and  
1 15 WHEREAS, the Congressional Budget Office warns that  
1 16 the cost of cap=and=trade policies will be borne by  
1 17 consumers and will place a disproportionately high  
1 18 burden on poorer families; and  
1 19 WHEREAS, simply reducing carbon emissions in  
1 20 this state will not have a significant impact on  
1 21 international carbon reduction, especially while  
1 22 countries like China, Russia, Mexico, and India  
1 23 emit an ever=increasing amount of carbon into the  
1 24 atmosphere; and  
1 25 WHEREAS, a tremendous amount of economic growth  
1 26 would be sacrificed for a reduction in carbon emission  
1 27 that would have no appreciable impact on global  
1 28 concentrations of carbon dioxide; and





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House Resolution 4 - Introduced continued

2 1 WHEREAS, no state or nation has enhanced economic  
2 2 opportunities for its citizens or increased gross  
2 3 domestic product through cap=and=trade or other carbon  
2 4 reduction policies; and  
2 5 WHEREAS, Europe's cap=and=trade system has been  
2 6 undermined by political favoritism, and accounting  
2 7 irregularities and has failed to achieve carbon  
2 8 reduction targets; NOW THEREFORE,  
2 9 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
2 10 the House of Representatives urges the Governor to  
2 11 withdraw the state of Iowa from the Midwestern Regional  
2 12 Greenhouse Gas Reduction Accord; and  
2 13 BE IT FURTHER RESOLVED, That enrolled copies of  
2 14 this Resolution shall be sent to the members of Iowa's  
2 15 congressional delegation and the director of the  
2 16 Midwestern Regional Greenhouse Gas Reduction Accord.  
LSB 1629YH (2) 84  
rn/nh



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House Resolution 5 - Introduced

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HOUSE RESOLUTION NO.

BY KAUFMANN, HALL, BYRNES, WITTNEBEN, UPMEYER,  
MUHLBAUER, BRANDENBURG, COHOON, FORRISTALL, and THOMAS

1 1 A Resolution recognizing January 27, 2011, as a day  
1 2 to honor Iowa's community colleges on their 45th  
1 3 anniversary.  
1 4 WHEREAS, 2011 marks the 45th anniversary of the  
1 5 designation of the first of fifteen merged area  
1 6 schools, now called community colleges; and  
1 7 WHEREAS, in 1965 the legislation creating these  
1 8 merged area schools was floor managed by Senator Jack  
1 9 Kibbie; and  
1 10 WHEREAS, today Iowa has a statewide system of  
1 11 fifteen community colleges, which are public,  
1 12 postsecondary, two-year institutions organized as  
1 13 comprehensive community colleges, serving all of Iowa's  
1 14 ninety-nine counties; and  
1 15 WHEREAS, Iowa's community colleges have enjoyed  
1 16 tremendous success, with the number of students  
1 17 attending community colleges growing from 8,000 to  
1 18 80,000; and  
1 19 WHEREAS, Iowa's community colleges have provided  
1 20 easy access to thousands of Iowans who seek higher  
1 21 education, including many who transfer credits to  
1 22 senior institutions and thousands more who seek  
1 23 high-quality vocational-technical programs; and  
1 24 WHEREAS, adult and continuing education courses and  
1 25 job training programs have trained thousands of Iowa's  
1 26 citizens, who have improved their skills, benefiting  
1 27 businesses, the workforce, and the overall economy of  
1 28 the state; and



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House Resolution 5 - Introduced continued

2 1 WHEREAS, community colleges are the port of entry  
2 2 for many of the poorest, most challenged, and most  
2 3 disadvantaged citizens of the state; NOW THEREFORE,  
2 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
2 5 the House of Representatives recognizes January 27,  
2 6 2011, as a day to honor the fifteen community colleges  
2 7 in Iowa on the 45th anniversary of their founding.

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jr/nh



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## House Study Bill 34

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON COWNIE)

**A BILL FOR**

1 An Act relating to the licensure of orthotists, prosthetists,  
2 and pedorthists and providing for fees and penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1582YC (4) 84  
jr/nh



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1 1 Section 1. Section 147.1, subsections 3 and 6, Code 2011,  
1 2 are amended to read as follows:

1 3 3. "Licensed" or "certified", when applied to a physician  
1 4 and surgeon, podiatric physician, osteopathic physician and  
1 5 surgeon, physician assistant, psychologist, chiropractor,  
1 6 nurse, dentist, dental hygienist, dental assistant,  
1 7 optometrist, speech pathologist, audiologist, pharmacist,  
1 8 physical therapist, physical therapist assistant, occupational  
1 9 therapist, occupational therapy assistant, orthotist,  
1 10 prosthetist, pedorthist, respiratory care practitioner,  
1 11 practitioner of cosmetology arts and sciences, practitioner  
1 12 of barbering, funeral director, dietitian, marital and  
1 13 family therapist, mental health counselor, social worker,  
1 14 massage therapist, athletic trainer, acupuncturist, nursing  
1 15 home administrator, hearing aid dispenser, or sign language  
1 16 interpreter or transliterator means a person licensed under  
1 17 this subtitle.

1 18 6. "Profession" means medicine and surgery, podiatry,  
1 19 osteopathic medicine and surgery, practice as a physician  
1 20 assistant, psychology, chiropractic, nursing, dentistry,  
1 21 dental hygiene, dental assisting, optometry, speech pathology,  
1 22 audiology, pharmacy, physical therapy, physical therapist  
1 23 assisting, occupational therapy, occupational therapy  
1 24 assisting, respiratory care, cosmetology arts and sciences,  
1 25 barbering, mortuary science, marital and family therapy, mental  
1 26 health counseling, social work, dietetics, massage therapy,  
1 27 athletic training, acupuncture, nursing home administration,  
1 28 hearing aid dispensing, ~~or~~ sign language interpreting or  
1 29 transliterating, orthotics, prosthetics, or pedorthics.

1 30 Sec. 2. Section 147.2, subsection 1, Code 2011, is amended  
1 31 to read as follows:

1 32 1. A person shall not engage in the practice of medicine  
1 33 and surgery, podiatry, osteopathic medicine and surgery,  
1 34 psychology, chiropractic, physical therapy, physical  
1 35 therapist assisting, nursing, dentistry, dental hygiene,



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2 1 dental assisting, optometry, speech pathology, audiology,  
2 2 occupational therapy, occupational therapy assisting,  
2 3 orthotics, prosthetics, pedorthics, respiratory care,  
2 4 pharmacy, cosmetology arts and sciences, barbering, social  
2 5 work, dietetics, marital and family therapy or mental health  
2 6 counseling, massage therapy, mortuary science, athletic  
2 7 training, acupuncture, nursing home administration, hearing aid  
2 8 dispensing, or sign language interpreting or transliterating,  
2 9 or shall not practice as a physician assistant, unless the  
2 10 person has obtained a license for that purpose from the board  
2 11 for the profession.

2 12 Sec. 3. Section 147.13, Code 2011, is amended by adding the  
2 13 following new subsection:

2 14 NEW SUBSECTION. 24. For orthotics, prosthetics, and  
2 15 pedorthics, the board of orthotics, prosthetics, and  
2 16 pedorthics.

2 17 Sec. 4. Section 147.14, subsection 1, Code 2011, is amended  
2 18 by adding the following new paragraph:

2 19 NEW PARAGRAPH. x. For the board of orthotics, prosthetics,  
2 20 and pedorthics, three persons licensed to practice orthotics,  
2 21 prosthetics, or pedorthics who have engaged in the practice  
2 22 of orthotics, prosthetics, or pedorthics in Iowa for at least  
2 23 three years immediately preceding their appointment to the  
2 24 board and two members who are not licensed to practice and who  
2 25 shall represent the general public.

2 26 Sec. 5. Section 147.74, Code 2011, is amended by adding the  
2 27 following new subsection:

2 28 NEW SUBSECTION. 24. a. An orthotist licensed under chapter  
2 29 148F may use the words "licensed orthotist" after the person's  
2 30 name or signify the same by the use of the letters "L.O." after  
2 31 the person's name.

2 32 b. A pedorthist licensed under chapter 148F may use the  
2 33 words "licensed pedorthist" after the person's name or signify  
2 34 the same by the use of the letters "L.ped." after the person's  
2 35 name.



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3 1 c. A prosthetist licensed under chapter 148F may use the  
3 2 words "licensed prosthetist" after the person's name or signify  
3 3 the same by the use of the letters "L.P." after the person's  
3 4 name.

3 5 Sec. 6. NEW SECTION. 148F.1 Title and purpose.  
3 6 1. This chapter may be cited and referred to as the  
3 7 "Orthotics, Prosthetics, and Pedorthics Practice Act".  
3 8 2. The purpose of this chapter is to provide for the  
3 9 regulation of persons offering orthotic, prosthetic, and  
3 10 pedorthic services to the public in order to safeguard the  
3 11 public health, safety, and welfare.

3 12 Sec. 7. NEW SECTION. 148F.2 Definitions.  
3 13 As used in this chapter:

3 14 1. "Board" means the board of orthotics, prosthetics, and  
3 15 pedorthics.

3 16 2. "Orthotic and prosthetic scope of practice" means a  
3 17 list of tasks, with relative weight given to such factors  
3 18 as importance, criticality, and frequency, based on  
3 19 internationally accepted standards of orthotic and prosthetic  
3 20 care as outlined by the international society of prosthetics  
3 21 and orthotics' professional profile for category I and category  
3 22 III orthotic and prosthetic personnel.

3 23 3. "Orthotics" means the science and practice of evaluating,  
3 24 measuring, designing, fabricating, assembling, fitting,  
3 25 adjusting, or servicing an orthosis under an order from a  
3 26 licensed physician or podiatric physician for the correction or  
3 27 alleviation of neuromuscular or musculoskeletal dysfunction,  
3 28 disease, injury, or deformity.

3 29 4. "Orthotist" means a health care professional,  
3 30 specifically educated and trained in orthotic patient care,  
3 31 who measures, designs, fabricates, fits, or services orthoses  
3 32 and may assist in the formulation of the order and treatment  
3 33 plan of orthoses for the support or correction of disabilities  
3 34 caused by neuromusculoskeletal diseases, injuries, or  
3 35 deformities.



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- 4 1     5. "Pedorthic scope of practice" means a list of tasks  
4 2 with relative weight given to such factors as importance,  
4 3 criticality, and frequency based on nationally accepted  
4 4 standards of pedorthic care as outlined by the national  
4 5 commission on orthotic and prosthetic education comprehensive  
4 6 analysis with an empirical validation study of the profession  
4 7 performed by an independent testing company.
- 4 8     6. "Pedorthics" means the science and practice of  
4 9 evaluating, measuring, designing, fabricating, assembling,  
4 10 fitting, adjusting, or servicing a pedorthic device under an  
4 11 order from a licensed physician or podiatric physician for the  
4 12 correction or alleviation of neuromuscular or musculoskeletal  
4 13 dysfunction, disease, injury, or deformity.
- 4 14    7. "Pedorthist" means a health care professional,  
4 15 specifically educated and trained in pedorthic patient  
4 16 care, who measures, designs, fabricates, fits, or services  
4 17 pedorthic devices and may assist in the formulation of the  
4 18 order and treatment plan of pedorthic devices for the support  
4 19 or correction of disabilities caused by neuromusculoskeletal  
4 20 diseases, injuries, or deformities.
- 4 21    8. "Prosthesis" means an artificial medical device that  
4 22 is not surgically implanted and that is used to replace a  
4 23 missing limb, appendage, or any other external human body part  
4 24 including an artificial limb, hand, or foot. "Prosthesis"  
4 25 does not include artificial eyes, ears, fingers, or toes,  
4 26 dental appliances, cosmetic devices such as artificial breasts,  
4 27 eyelashes, or wigs, or other devices that do not have a  
4 28 significant impact on the musculoskeletal functions of the  
4 29 body.
- 4 30    9. "Prosthetics" means the science and practice of  
4 31 evaluating, measuring, designing, fabricating, assembling,  
4 32 fitting, adjusting, or servicing a prosthesis under an order  
4 33 from a licensed physician.
- 4 34    10. "Prosthetist" means a health care professional,  
4 35 specifically educated and trained in prosthetic patient care,





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5 1 who measures, designs, fabricates, fits, or services prostheses  
5 2 and may assist in the formulation of the order and treatment  
5 3 plan of prostheses for the replacement of external parts of the  
5 4 human body lost due to amputation or congenital deformities or  
5 5 absences.

5 6 Sec. 8. NEW SECTION. 148F.3 Duties of the board.

5 7 The board shall administer this chapter. The board's duties  
5 8 shall include but are not limited to the following:

5 9 1. Adoption of rules to administer and interpret this  
5 10 chapter, chapter 147, and chapter 272C with respect to the  
5 11 education and licensing of orthotists, prosthetists, and  
5 12 pedorthists.

5 13 2. Adoption of rules to establish accepted standards of  
5 14 orthotic and prosthetic scope of practice.

5 15 3. Adoption of rules relating to professional conduct and  
5 16 licensing and the establishment of ethical and professional  
5 17 standards of practice.

5 18 4. Acting on matters concerning licensure and the process  
5 19 of applying for, granting, suspending, imposing supervisory  
5 20 or probationary conditions upon, reinstating, revoking, or  
5 21 renewing a license.

5 22 5. Establishing and collecting licensure fees as provided  
5 23 in section 147.80.

5 24 6. Developing continuing education requirements as a  
5 25 condition of license renewal.

5 26 7. Evaluating requirements for licensure in other states to  
5 27 determine if reciprocity may be granted.

5 28 Sec. 9. NEW SECTION. 148F.4 Persons and practices not  
5 29 affected.

5 30 This chapter does not prevent or restrict the practice,  
5 31 services, or activities of any of the following:

5 32 1. A person licensed in this state by any other law from  
5 33 engaging in the profession or occupation for which the person  
5 34 is licensed.

5 35 2. A person employed as an orthotics, prosthetics, or



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6 1 pedorthics practitioner by the government of the United States  
6 2 if that person practices solely under the direction or control  
6 3 of the organization by which the person is employed.

6 4 3. A person pursuing a course of study leading to a degree  
6 5 or certificate in recreational therapy in an educational  
6 6 program accredited or approved according to rules adopted by  
6 7 the board, if the activities and services constitute a part of  
6 8 a supervised course of study and the person is designated by a  
6 9 title which clearly indicates the person's status as a student  
6 10 or trainee.

6 11 Sec. 10. NEW SECTION. 148F.5 Qualifications for licensure  
6 12 as orthotist, prosthetist, or pedorthist.

6 13 1. To qualify for a license to practice orthotics or  
6 14 prosthetics, a person shall meet the following requirements:

6 15 a. Possess a baccalaureate degree from a college or  
6 16 university.

6 17 b. Have completed the amount of formal training including  
6 18 but not limited to any hours of classroom education and  
6 19 clinical practice established and approved by the board.

6 20 c. Complete a clinical residency in the professional area  
6 21 for which a license is sought in accordance with standards,  
6 22 guidelines, or procedures for residencies established and  
6 23 approved by the board. The majority of training must be  
6 24 devoted to services performed under the supervision of a  
6 25 licensed practitioner of orthotics or prosthetics or a person  
6 26 certified as a certified orthotist, certified prosthetist,  
6 27 or certified prosthetist orthotist whose practice is located  
6 28 outside the state.

6 29 d. Pass all written, practical, and oral examinations that  
6 30 are required and approved by the board.

6 31 e. Be qualified to practice in accordance with accepted  
6 32 standards of orthotic and prosthetic care as established by the  
6 33 board.

6 34 2. To qualify for a license to practice pedorthics, a person  
6 35 shall meet the following requirements:



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House Study Bill 34 continued

- 7 1       a. Submit proof of a high school diploma or its equivalent.
- 7 2       b. Have completed the amount of formal training including
- 7 3 but not limited to any hours of classroom education and
- 7 4 clinical practice established and approved by the board.
- 7 5       c. Complete a qualified work experience program or
- 7 6 internship in pedorthics that has a minimum of one thousand
- 7 7 hours of pedorthic patient care experience in accordance
- 7 8 with any standards, guidelines, or procedures established
- 7 9 and approved by the board. The majority of training must
- 7 10 be devoted to services performed under the supervision of a
- 7 11 licensed practitioner of pedorthics or a person certified as
- 7 12 a certified pedorthist whose practice is located outside the
- 7 13 state.
- 7 14       d. Pass all examinations that are required and approved by
- 7 15 the board.
- 7 16       e. Be qualified to practice in accordance with accepted
- 7 17 standards of pedorthic care as established by the board.
- 7 18       3. The standards and requirements for licensure established
- 7 19 by the board shall be substantially equal to or in excess of
- 7 20 standards commonly accepted in the professions of orthotics,
- 7 21 prosthetics, or pedorthics, as applicable. The board shall
- 7 22 adopt rules as necessary to set the standards and requirements.
- 7 23       4. A person may be licensed in more than one discipline.
- 7 24       Sec. 11. NEW SECTION. 148F.6 Assistants and technicians.
- 7 25       1. a. A person shall not work as an assistant to an
- 7 26 orthotist or prosthetist or provide patient care services or
- 7 27 fabrication of orthoses or prostheses, unless the work is
- 7 28 performed under the supervision of a licensed orthotist or
- 7 29 prosthetist.
- 7 30       b. An assistant may perform orthotic or prosthetic
- 7 31 procedures and related tasks in the management of patient care.
- 7 32 An assistant may also fabricate, repair, and maintain orthoses
- 7 33 and prostheses.
- 7 34       2. a. A person shall not work as a technician unless
- 7 35 the work is performed under the supervision of a licensed



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8 1 orthotist, prosthetist, or pedorthist.

8 2 b. A technician may assist a person licensed under this  
8 3 chapter with fabrication of orthoses, prostheses, or pedorthic  
8 4 devices but does not provide direct patient care.

8 5 Sec. 12. NEW SECTION. 148F.7 Limitation on provision of  
8 6 care and services.

8 7 A licensed orthotist, prosthetist, or pedorthist may provide  
8 8 care or services only if the care or services are provided  
8 9 pursuant to an order from a licensed physician, a licensed  
8 10 podiatric physician, an advanced registered nurse practitioner  
8 11 who has a written collaborative agreement with a collaborating  
8 12 physician or podiatric physician that specifically authorizes  
8 13 ordering the services of an orthotist, prosthetist, or  
8 14 pedorthist, an advanced registered nurse practitioner who  
8 15 practices in a hospital or ambulatory surgical treatment center  
8 16 and possesses clinical privileges to order services of an  
8 17 orthotist, prosthetist, or pedorthist, or a physician assistant  
8 18 who has been delegated the authority to order the services of  
8 19 an orthotist, prosthetist, or pedorthist by the assistant's  
8 20 supervising physician. A licensed podiatric physician or an  
8 21 advanced registered nurse practitioner collaborating with a  
8 22 podiatric physician may only order care or services concerning  
8 23 the foot from a licensed prosthetist.

8 24 Sec. 13. Section 272C.1, subsection 6, Code 2011, is amended  
8 25 by adding the following new paragraph:

8 26 NEW PARAGRAPH. ag. The board of orthotics, prosthetics, and  
8 27 pedorthics, created pursuant to chapter 147.

8 28 Sec. 14. INITIAL BOARD. The initial members of the board of  
8 29 orthotics, prosthetics, and pedorthics established pursuant to  
8 30 this Act shall be appointed to the following terms:

8 31 1. Two professional members eligible for licensure and one  
8 32 public member shall be appointed for a term of two years.

8 33 2. One professional member eligible for licensure and one  
8 34 public member shall be appointed for a term of one year.

8 35 EXPLANATION



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House Study Bill 34 continued

9 1 This bill creates new Code chapter 148F that requires  
9 2 the licensure of persons offering orthotic, prosthetic, or  
9 3 pedorthic services. The bill provides for the establishment of  
9 4 a five=member licensing board consisting of three professional  
9 5 members and two members who represent the general public.  
9 6 The bill provides for fees to fund the board and provides  
9 7 penalties for violation of the practice requirement. The  
9 8 penalties, including criminal penalties, are set out for all  
9 9 health=related boards in Code chapters 147 and 272C. The board  
9 10 is similar in composition and responsibilities to the other  
9 11 health=related licensing boards.  
9 12 Orthotics is the science and practice of evaluating,  
9 13 measuring, designing, fabricating, assembling, fitting,  
9 14 adjusting, or servicing a custom=fabricated or custom=fitted  
9 15 brace or support for the correction or alleviation of  
9 16 neuromuscular or musculoskeletal dysfunction, disease, injury,  
9 17 or deformity.  
9 18 Pedorthics is the science and practice of evaluating,  
9 19 measuring, designing, fabricating, assembling, fitting,  
9 20 adjusting, or servicing a specially designed shoe or shoe  
9 21 insert for the correction or alleviation of neuromuscular or  
9 22 musculoskeletal dysfunction, disease, injury, or deformity.  
9 23 Prosthetics is the science and practice of evaluating,  
9 24 measuring, designing, fabricating, assembling, fitting,  
9 25 adjusting, or servicing an artificial medical device that is  
9 26 not surgically implanted and that is used to replace a missing  
9 27 limb, appendage, or any other external human body part.  
9 28 The bill provides qualifications for licensure as an  
9 29 orthotist, prosthetist, or pedorthist and requirements for  
9 30 assistants and technicians to be supervised by such licensees.

LSB 1582YC (4) 84

jr/nh



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## House Study Bill 35

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON COWNIE)

**A BILL FOR**

1 An Act relating to the use of tanning facilities by minors and  
2 making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1959YC (2) 84  
jr/nh



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House Study Bill 35 continued

PAG LIN

1 1 Section 1. NEW SECTION. 136D.5 Tanning by minors ====  
1 2 restrictions.  
1 3 The operator of a tanning facility shall not allow an  
1 4 individual who is under eighteen years of age to use a tanning  
1 5 device located within the facility unless the individual has a  
1 6 prescription for ultraviolet radiation treatments written by a  
1 7 physician licensed under chapter 148.  
1 8 EXPLANATION  
1 9 This bill provides that the operator of a tanning facility  
1 10 shall not allow an individual who is under the age of 18 to  
1 11 use a tanning device unless the individual has a prescription  
1 12 for ultraviolet radiation treatments written by a physician.  
1 13 Violation of Code chapter 136D is a simple misdemeanor. In  
1 14 addition, the director of the department of public health may  
1 15 seek an injunction to prohibit the person from continuing the  
1 16 violation or threat of violation.  
LSB 1959YC (2) 84  
jr/nh



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## House Study Bill 36

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON BAUDLER)

### A BILL FOR

1 An Act relating to the use of justifiable reasonable force  
2 including deadly force.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1172YC (4) 84  
jm/rj





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House Study Bill 36 continued

PAG LIN

1 1 Section 1. Section 704.1, Code 2011, is amended to read as  
1 2 follows:  
1 3 704.1 Reasonable force.  
1 4 "Reasonable force" is that force ~~and no more~~ which a  
1 5 reasonable person, in like circumstances, would judge to  
1 6 be necessary to prevent an injury or loss and can include  
1 7 deadly force if it is reasonable to believe that such force is  
1 8 necessary to avoid injury or risk to one's life or safety or  
1 9 the life or safety of another, or it is reasonable to believe  
1 10 that such force is necessary to resist a like force or threat.  
1 11 Reasonable force, including deadly force, may be used even if  
1 12 an alternative course of action is available if the alternative  
1 13 entails a risk to life or safety, or the life or safety of a  
1 14 third party, or requires one to abandon or retreat from one's  
1 15 dwelling, ~~or~~ place of business or employment, occupied vehicle,  
1 16 or other place where one is lawfully present.  
1 17 Sec. 2. NEW SECTION. 704.2A Justifiable use of deadly force  
1 18 ==== presumptions.  
1 19 1. Except as otherwise provided in this section and in  
1 20 section 704.6, a presumption exists that deadly force is  
1 21 justifiable when deadly force is used against a person who  
1 22 unlawfully and forcefully enters or attempts to enter a  
1 23 dwelling, occupied vehicle, or place of business or employment.  
1 24 2. A person is not justified using deadly force pursuant  
1 25 to this section unless the person knows or has reason to know  
1 26 that the person against whom deadly force is used is acting  
1 27 unlawfully and forcefully.  
1 28 3. A person who unlawfully and forcefully enters or attempts  
1 29 to enter a dwelling, occupied vehicle, or place of business or  
1 30 employment, is presumed to be a deadly threat to any person  
1 31 lawfully present in the dwelling, occupied vehicle, or place of  
1 32 business or employment.  
1 33 4. A person who enters or attempts to enter a dwelling,  
1 34 occupied vehicle, or place of business or employment in  
1 35 violation of a no-contact order or protective order is presumed



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2 1 to be doing such action unlawfully and forcefully.  
2 2 Sec. 3. Section 704.6, subsection 1, Code 2011, is amended  
2 3 to read as follows:  
2 4 1. a. One who is participating in a forcible felony, or  
2 5 riot, or a duel.  
2 6 b. One who is using a dwelling, occupied vehicle, or place  
2 7 of business or employment to further a crime.  
2 8 c. One who escapes or attempts to escape from a crime.  
2 9 Sec. 4. Section 704.6, Code 2011, is amended by adding the  
2 10 following new subsections:  
2 11 NEW SUBSECTION. 4. One who uses force against a legal  
2 12 guardian who is removing or attempting to remove a person  
2 13 under the care of the legal guardian from a dwelling, occupied  
2 14 vehicle, or place of business or employment. As used in this  
2 15 subsection, "legal guardian" means a person appointed by a court  
2 16 pursuant to chapter 633, an attorney in fact as defined in  
2 17 section 144B.1, or a parent or other person responsible for the  
2 18 care of a minor.  
2 19 NEW SUBSECTION. 5. One who uses force against a peace  
2 20 officer who enters or attempts to enter a dwelling, occupied  
2 21 vehicle, or place of business or employment while acting within  
2 22 the scope of the lawful duty or authority of the peace officer,  
2 23 and the person using the reasonable force knows or reasonably  
2 24 should know that the person who enters or attempts to enter the  
2 25 dwelling, occupied vehicle, or place of business or employment,  
2 26 is a peace officer.  
2 27 Sec. 5. Section 704.7, Code 2011, is amended to read as  
2 28 follows:  
2 29 704.7 Resisting forcible felony.  
2 30 A person who ~~knows~~ reasonably believes that a forcible  
2 31 felony is being perpetrated is justified in using, against the  
2 32 perpetrator, reasonable force to prevent the completion of that  
2 33 felony.  
2 34 Sec. 6. Section 707.6, Code 2011, is amended by striking the  
2 35 section and inserting in lieu thereof the following:



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3 1 707.6 Immunity.

3 2 1. As used in this section, "criminal prosecution" means  
3 3 arrest, detention, charging, or prosecution.

3 4 2. A person who is justified in using reasonable force  
3 5 including deadly force pursuant to chapter 704 is immune  
3 6 from criminal prosecution and civil liability for the use of  
3 7 reasonable force including deadly force.

3 8 EXPLANATION

3 9 This bill relates to the use of justifiable reasonable force  
3 10 including deadly force.

3 11 The bill provides that a person may use reasonable force  
3 12 including deadly force if the alternative to using reasonable  
3 13 force requires one to abandon or retreat from an occupied  
3 14 vehicle or other place where one is lawfully present. Current  
3 15 law specifies a person may use reasonable force including  
3 16 deadly force if the alternative to using reasonable force  
3 17 requires one to abandon or retreat from one's dwelling, or  
3 18 place of business or employment.

3 19 The bill establishes a presumption that deadly force is  
3 20 justifiable in certain circumstances. Under the bill, a person  
3 21 is justified in using deadly force if the person against whom  
3 22 deadly force is used is unlawfully and forcefully entering or  
3 23 attempting to enter a dwelling, occupied vehicle, or place of  
3 24 business or employment. The bill provides that a person is not  
3 25 justified in using deadly force unless the person using deadly  
3 26 force knows or has reason to know that a person against whom  
3 27 deadly force is used is acting unlawfully and forcefully.

3 28 The bill specifies that a person who unlawfully and  
3 29 forcefully enters or attempts to enter a dwelling, occupied  
3 30 vehicle, or place of business or employment is presumed to be a  
3 31 deadly threat to any person lawfully present in the dwelling,  
3 32 occupied vehicle, or place of business or employment.

3 33 The bill specifies that a person who enters or attempts to  
3 34 enter a dwelling, occupied vehicle, or place of business or  
3 35 employment in violation of a no-contact order or protective



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4 1 order is presumed to be doing such action unlawfully and  
4 2 forcefully.  
4 3 The bill specifies that the defense of justification is  
4 4 not available to a person who is using a dwelling, occupied  
4 5 vehicle, or place of business or employment to further a crime,  
4 6 or who is escaping or attempting to escape from a crime.  
4 7 Current law specifies that the defense of justification is  
4 8 not available to a person who is participating in a forcible  
4 9 felony.  
4 10 The bill establishes that a defense of justification is not  
4 11 available to a person who uses force against a legal guardian  
4 12 who is removing or attempting to remove a person under the care  
4 13 of the legal guardian from a dwelling, occupied vehicle, or  
4 14 place of business or employment.  
4 15 The bill also establishes that a defense of justification  
4 16 is not available to a person who uses force against a peace  
4 17 officer who enters or attempts to enter a dwelling, occupied  
4 18 vehicle, or place of business or employment while acting within  
4 19 the scope of the lawful duty or authority of the peace officer,  
4 20 and the person using the reasonable force knows or reasonably  
4 21 should know that the person who enters or attempts to enter the  
4 22 dwelling, occupied vehicle, or place of business or employment,  
4 23 is a peace officer.  
4 24 The bill amends Code section 704.7 relating to justifiable  
4 25 force used to resist a forcible felony. The bill provides  
4 26 that a person who "reasonably believes" that a forcible felony  
4 27 is being perpetrated is justified in using reasonable force  
4 28 against the perpetrator. Current law provides that a person  
4 29 who "knows" a forcible felony is being perpetrated is justified  
4 30 in using reasonable force against the perpetrator.  
4 31 The bill amends Code section 707.6 relating to civil  
4 32 liability, which provides civil immunity for the use of  
4 33 reasonable force against aggressors. The bill specifies that  
4 34 a person who is justified in using reasonable force including  
4 35 deadly force pursuant to Code chapter 704 is immune from



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5 1 criminal prosecution and civil liability for the use of such  
5 2 force.

LSB 1172YC (4) 84

jm/rj



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## House Study Bill 37

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON BAUDLER)

### A BILL FOR

1 An Act relating to the authorized possession of certain  
2 offensive weapons.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1171YC (6) 84  
rh/rj



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PAG LIN

1 1 Section 1. Section 724.1, subsections 1, 2, and 8, Code  
1 2 2011, are amended to read as follows:

1 3 1. A machine gun. A machine gun is a firearm which shoots  
1 4 or is designed to shoot more than one shot automatically,  
1 5 without manual reloading, by a single function of the trigger.

1 6 2. A short-barreled rifle or short-barreled shotgun. A  
1 7 short-barreled rifle or short-barreled shotgun is a rifle with  
1 8 a barrel or barrels less than sixteen inches in length or a  
1 9 shotgun with a barrel or barrels less than eighteen inches  
1 10 in length, as measured from the face of the closed bolt or  
1 11 standing breech to the muzzle, or any weapon made from a rifle  
1 12 or shotgun ~~with~~ if such weapon as modified has an overall  
1 13 length less than twenty-six inches.

1 14 8. Any mechanical device specifically constructed and  
1 15 designed so that when attached to a firearm silences, muffles,  
1 16 or suppresses the sound when fired. ~~However, this subsection~~  
~~1 17 does not apply to a mechanical device possessed and used by~~  
~~1 18 a person solely for the purpose of shooting a deer pursuant~~  
~~1 19 to an approved city special deer population control plan if~~  
~~1 20 the person has a valid federal permit to possess and use the~~  
~~1 21 mechanical device.~~

1 22 Sec. 2. Section 724.2, unnumbered paragraph 1, Code 2011,  
1 23 is amended to read as follows:

1 24 ~~Any of the~~ The following is persons are authorized to possess  
1 25 an offensive weapon ~~when~~ in the performance of the person's  
1 26 official duties or lawful activities require or permit such  
~~1 27 possession as prescribed by the person's employing agency:~~

1 28 Sec. 3. Section 724.2, subsections 8 and 9, Code 2011, are  
1 29 amended to read as follows:

1 30 8. A resident of this state who possesses an offensive  
1 31 weapon which is a curio or relic firearm under the federal  
1 32 ~~Firearms~~ Gun Control Act of 1968, 18 U.S.C. ch. 44 or the  
1 33 federal National Firearms Act of 1934, 26 U.S.C. ch. 53, solely  
~~1 34 for use in the official functions of a historical reenactment~~  
~~1 35 organization of which the person is a member, if the offensive~~



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2 1 weapon has been permanently rendered unfit for the firing of  
2 2 live ammunition. The offensive weapon may, however, be adapted  
2 3 for the firing of blank ammunition.

2 4 9. A nonresident who possesses an offensive weapon which  
2 5 is a curio or relic firearm under the federal ~~Firearms~~ Gun  
2 6 Control Act of 1968, 18 U.S.C. ch. 44 or the federal National  
2 7 Firearms Act of 1934, 26 U.S.C. ch. 53, ~~solely for use in~~  
~~2 8 official functions in this state of a historical reenactment~~  
~~2 9 organization of which the person is a member,~~ if the offensive  
2 10 weapon is legally possessed by the person in the person's state  
2 11 of residence and the offensive weapon is at all times while  
2 12 in this state rendered incapable of firing live ammunition.  
2 13 A nonresident who possesses an offensive weapon under this  
2 14 subsection while in this state shall not have in the person's  
2 15 possession live ammunition. The offensive weapon may, however,  
2 16 be adapted for the firing of blank ammunition.

2 17 Sec. 4. Section 724.2, Code 2011, is amended by adding the  
2 18 following new subsection:

2 19 NEW SUBSECTION. 10. A person who possesses a device  
2 20 described in section 724.1, subsection 8, or a machine gun,  
2 21 short=barreled rifle, or short=barreled shotgun as defined in  
2 22 section 724.1, in compliance with the federal Gun Control Act  
2 23 of 1968, 18 U.S.C. ch. 44 or the federal National Firearms Act  
2 24 of 1934, 26 U.S.C. ch. 53.

2 25 Sec. 5. Section 724.3, Code 2011, is amended to read as  
2 26 follows:

2 27 724.3 Unauthorized possession of offensive weapons.

2 28 Any person, other than a person authorized ~~herein~~ in section  
2 29 724.2, who knowingly possesses an offensive weapon commits a  
2 30 class "D" felony.

2 31 EXPLANATION

2 32 This bill relates to the authorized possession of offensive  
2 33 weapons.

2 34 The bill modifies the definition of a machine gun, a  
2 35 short=barreled rifle, a short=barreled shotgun, and a





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3 1 mechanical device that silences, muffles, or suppresses the  
3 2 sound of a firearm when fired, defined as offensive weapons  
3 3 under Code section 724.1. A person who is not authorized under  
3 4 Code section 724.3 to possess an offensive weapon is guilty of  
3 5 a class "D" felony.

3 6 The bill amends provisions in Code section 724.2 authorizing  
3 7 the possession of certain offensive weapons in certain  
3 8 circumstances, including an offensive weapon that is a curio  
3 9 or relic firearm, a machine gun, a short-barreled rifle, a  
3 10 short-barreled shotgun, and a mechanical device that silences,  
3 11 muffles, or suppresses the sound of a firearm when fired, as  
3 12 amended in the bill, in compliance with the provisions of  
3 13 the federal Gun Control Act of 1968 and the federal National  
3 14 Firearms Act of 1934.

LSB 1171YC (6) 84

rh/rj



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## House Study Bill 38

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON ANDERSON)

### A BILL FOR

1 An Act relating to the disposition of a child with mental  
2 illness or mental retardation in juvenile court.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2019YC (1) 84  
rh/nh



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House Study Bill 38 continued

PAG LIN

1 1 Section 1. Section 232.51, Code 2011, is amended to read as  
1 2 follows:

1 3 232.51 Disposition of child with mental illness or mental  
1 4 retardation.

1 5 1. If the evidence received at an adjudicatory or a  
1 6 dispositional hearing indicates that the child is mentally  
1 7 ill, the court may direct the juvenile court officer or the  
1 8 department to initiate proceedings or to assist the child's  
1 9 parent or guardian to initiate civil commitment proceedings in  
1 10 the juvenile court. ~~These~~ and such proceedings in the juvenile  
1 11 court shall adhere to the requirements of chapter 229.

1 12 2. If the evidence received at an adjudicatory or a  
1 13 dispositional hearing indicates that the child is mentally  
1 14 retarded, the court may direct the juvenile court officer or  
1 15 the department to initiate proceedings or to assist the child's  
1 16 parent or guardian to initiate civil commitment proceedings in  
1 17 the juvenile court. ~~These~~ and such proceedings shall adhere to  
1 18 the requirements of chapter 222. ~~If the child is committed as~~  
~~1 19 a child with mental illness or mental retardation, any order~~  
~~1 20 adjudicating the child to have committed a delinquent act shall~~  
~~1 21 be set aside and the petition shall be dismissed.~~

1 22 EXPLANATION

1 23 This bill eliminates the requirement that a juvenile court  
1 24 order adjudicating a child to have committed a delinquent act  
1 25 shall be set aside and the petition shall be dismissed if that  
1 26 child is civilly committed for treatment as a child with mental  
1 27 retardation or mental illness.

LSB 2019YC (1) 84

rh/nh



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**House Study Bill 39**

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON ANDERSON)

**A BILL FOR**

1 An Act relating to a magistrate acting as counsel for clients  
2 within the jurisdiction of the magistrate.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1919YC (1) 84  
jm/rj



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House Study Bill 39 continued

PAG LIN

1 1 Section 1. Section 602.1605, subsection 2, Code 2011, is  
1 2 amended to read as follows:

1 3 2. If a magistrate who practices law appears as counsel  
1 4 for a client in a matter that is within the jurisdiction of a  
~~1 5 the magistrate, that matter shall be heard only by a district~~  
1 6 judge or a district associate judge. A disqualification  
1 7 under this section shall be had upon motion of the magistrate  
1 8 or of any party, either orally or in writing, and the clerk  
1 9 of the district court shall reassign the matter to a proper  
1 10 judicial officer. If the matter involves a criminal or  
1 11 juvenile delinquency proceeding the disqualification shall be  
1 12 as provided in subsection 3.

1 13 Sec. 2. Section 602.1605, Code 2011, is amended by adding  
1 14 the following new subsections:

1 15 NEW SUBSECTION. 3. A magistrate shall be disqualified from  
1 16 appearing as counsel in any criminal or delinquency proceeding  
1 17 in any court within the jurisdiction of the magistrate.

1 18 NEW SUBSECTION. 4. As used in this section, "jurisdiction  
1 19 of the magistrate" means the magistrate's county of appointment  
1 20 and any other county in which the magistrate regularly holds  
1 21 court.

1 22 EXPLANATION

1 23 This bill relates to a magistrate acting as counsel for  
1 24 clients within the jurisdiction of the magistrate.

1 25 The bill disqualifies a magistrate from appearing as counsel  
1 26 in any criminal or delinquency proceeding in any court within  
1 27 the jurisdiction of the magistrate.

1 28 The bill defines "jurisdiction of the magistrate" to mean  
1 29 the magistrate's county of appointment and any other county in  
1 30 which the magistrate regularly holds court.

LSB 1919YC (1) 84

jm/rj



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**House Study Bill 40**

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
LABOR BILL BY  
CHAIRPERSON HORBACH)

**A BILL FOR**

1 An Act excepting certain employee injuries which occur on an  
2 employer's premises from compensability under the state's  
3 workers' compensation laws.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1903YC (2) 84  
av/nh



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House Study Bill 40 continued

PAG LIN

1 1 Section 1. Section 85.61, subsection 7, Code 2011, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. c. Personal injuries sustained by an  
1 4 employee which occur on an employer's premises are not  
1 5 incidental to the employee's employment and do not arise out of  
1 6 and in the course of employment if the injuries are sustained  
1 7 during nonwork hours while the employee is on a personal errand  
1 8 to those premises.

1 9 EXPLANATION

1 10 This bill provides that a personal injury arising out of  
1 11 and in the course of employment which would be compensable  
1 12 under the state's workers' compensation laws does not include a  
1 13 personal injury sustained by an employee while on an employer's  
1 14 premises if the injury is sustained during nonwork hours while  
1 15 the employee is on a personal errand to those premises.

LSB 1903YC (2) 84

av/nh



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## House Study Bill 41

HOUSE FILE

BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON SANDS)

### A BILL FOR

1 An Act establishing a school district property tax  
2 relief supplement for certain fiscal years, making  
3 an appropriation, and including effective date and  
4 applicability provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSE 2076YC (8) 84  
md/sc





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PAG LIN

1 1 Section 1. SCHOOL DISTRICT PROPERTY TAX RELIEF SUPPLEMENT  
1 2 ==== APPROPRIATION.  
1 3 1. There is appropriated from the general fund of the state  
1 4 to the department of management, for the fiscal year beginning  
1 5 July 1, 2011, an amount sufficient to pay the school district  
1 6 property tax relief supplements under this section. Payments  
1 7 under this section shall be paid in the manner provided in  
1 8 section 257.16.  
1 9 2. a. The department of management shall determine  
1 10 the amount of the budget adjustment under section 257.14,  
1 11 subsection 3, paragraph "a", subparagraph (8), for each school  
1 12 district within the state.  
1 13 b. Each school district that has a budget adjustment amount  
1 14 determined under paragraph "a" that is greater than zero shall  
1 15 receive a property tax relief supplement in an amount equal to  
1 16 the budget adjustment amount determined under paragraph "a".  
1 17 3. The department of management shall notify each school  
1 18 district of the amount of the property tax relief supplement  
1 19 not later than June 1, 2011.  
1 20 4. School districts that receive a property tax relief  
1 21 supplement under this section shall not levy property taxes  
1 22 for a budget adjustment under section 257.14, subsection 3,  
1 23 paragraph "a", subparagraph (8), for the budget year beginning  
1 24 July 1, 2011.  
1 25 5. Property tax relief supplement payments received by a  
1 26 school district under this section may be used for any purpose  
1 27 for which moneys generated through property taxes resulting  
1 28 from a budget adjustment under section 257.14 may be used.  
1 29 Sec. 2. EFFECTIVE UPON ENACTMENT AND APPLICABILITY. This  
1 30 Act, being deemed of immediate importance, takes effect upon  
1 31 enactment and applies to the budget year beginning July 1,  
1 32 2011.

1 33 EXPLANATION

1 34 This bill appropriates from the general fund of the state  
1 35 to the department of management, for the fiscal year beginning



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2 1 July 1, 2011, an amount sufficient to pay the school district  
2 2 property tax relief supplements authorized in the bill.  
2 3 The bill requires the department of management to determine  
2 4 the amount of the budget adjustment under Code section  
2 5 257.14(3)(a)(8) for each school district within the state.  
2 6 Each school district that has a budget adjustment amount  
2 7 determined under the bill that is greater than zero shall  
2 8 receive a property tax relief supplement payment in an amount  
2 9 equal to the budget adjustment amount. The bill prohibits a  
2 10 school district that receives a property tax relief supplement  
2 11 under the bill from levying property taxes for a budget  
2 12 adjustment under Code section 257.14(3)(a)(8) for the budget  
2 13 year beginning July 1, 2011.  
2 14 The department of management is required to notify each  
2 15 school district of the amount of the property tax relief  
2 16 supplement not later than June 1, 2011. Payment of property  
2 17 tax relief supplements are made in the same manner as other  
2 18 payments to school districts under Code section 257.16. Moneys  
2 19 received by a school district under the bill may be used for  
2 20 any purpose for which moneys generated through property taxes  
2 21 resulting from a budget adjustment under Code section 257.14  
2 22 may be used.  
2 23 The bill takes effect upon enactment and applies to the  
2 24 budget year beginning July 1, 2011.

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md/sc



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**Senate File 100 - Introduced**

SENATE FILE  
BY JOCHUM

(COMPANION TO lsb  
1085hh BY MURPHY)

**A BILL FOR**

1 An Act exempting commercial kennels from regulation as a  
2 commercial establishment when training dogs or cats in the  
3 presence of their owners, and providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1085SS (2) 84  
da/nh



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Senate File 100 - Introduced continued

PAG LIN

1 1 Section 1. Section 162.11, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 4. This chapter does not apply to a  
1 4 commercial kennel which provides training services for dogs or  
1 5 cats, if all of the following conditions are satisfied:  
1 6 a. The owners of the dogs or cats are present at all times  
1 7 when the training services are performed.  
1 8 b. The commercial kennel is not otherwise subject to this  
1 9 chapter.  
1 10 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
1 11 importance, takes effect upon enactment.  
1 12 EXPLANATION  
1 13 This bill exempts certain commercial kennels from regulation  
1 14 under Code chapter 162, including licensure requirements and  
1 15 the payment of associated fees. In order to be exempt, a  
1 16 commercial kennel must satisfy three conditions: (1) it must  
1 17 provide training services to dogs or cats; (2) the owners of  
1 18 the dogs or cats must be present during the training sessions;  
1 19 and (3) the commercial kennel cannot be regulated under the  
1 20 Code chapter for another reason (e.g., it also boards dogs or  
1 21 cats).  
1 22 The bill takes effect upon enactment.  
LSB 1085SS (2) 84  
da/nh



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January 26, 2011

**Senate File 101 - Introduced**

SENATE FILE  
BY JOCHUM

**A BILL FOR**

1 An Act prohibiting the use of restraints on a pregnant inmate  
2 in labor.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1529XS (2) 84  
jm/nh



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Senate File 101 - Introduced continued

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1 1 Section 1. NEW SECTION. 904.321 Pregnant inmate ====  
1 2 restraints.  
1 3 1. As used in this section unless the context otherwise  
1 4 requires:  
1 5 a. "Department" means the department of corrections, a  
1 6 municipal or county jail, a secure facility for the detention  
1 7 and custody of juveniles, or a judicial district department of  
1 8 correctional services.  
1 9 b. "Director" means the director of the department of  
1 10 corrections or a judicial district department of correctional  
1 11 services, a county sheriff, the officer in charge of a  
1 12 municipal jail, or the superintendent of a secure facility for  
1 13 the detention and custody of juveniles.  
1 14 2. a. The department shall not use restraints to control  
1 15 the movement of a pregnant inmate at any time while the inmate  
1 16 is in labor, delivery, or recovering from delivery, unless  
1 17 the director or the director's designee determines the use  
1 18 of restraints is necessary under either of the following  
1 19 circumstances:  
1 20 (1) The safety of the inmate, infant, department personnel,  
1 21 medical personnel, or a member of the public is at risk.  
1 22 (2) The inmate is a substantial risk to escape.  
1 23 b. If a determination is made to use restraints under  
1 24 paragraph "a", the type of restraint used shall be the least  
1 25 restrictive restraint used by the department.  
1 26 EXPLANATION  
1 27 This bill relates to the use of restraints on a pregnant  
1 28 inmate.  
1 29 The bill prohibits the department of corrections, a  
1 30 municipal or county jail, a secure facility for the detention  
1 31 and custody of juveniles, or a judicial district department  
1 32 of correctional services from using restraints to control the  
1 33 movement of a pregnant inmate at any time while the inmate is  
1 34 in labor, delivery, or recovering from delivery.  
1 35 The bill permits the director of the facility or the



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2 1 director's designee to order the use of restraints on a  
2 2 pregnant inmate in labor if the director or director's  
2 3 designee determines there is a safety issue or the inmate is a  
2 4 substantial risk to escape. If a determination is made to use  
2 5 restraints on a pregnant inmate, the bill requires the facility  
2 6 to use the least restrictive restraint.  
2 7     The bill defines "director" to mean the director of the  
2 8 department of corrections or a judicial district department of  
2 9 correctional services, a county sheriff, the officer in charge  
2 10 of a municipal jail, or the superintendent of a secure facility  
2 11 for the detention and custody of juveniles.

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jm/nh



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**Senate File 102 - Introduced**

SENATE FILE

BY SORENSON, CHELGREN,  
BERTRAND, FEENSTRA,  
BOETTGER, SEYMOUR,  
BARTZ, ANDERSON,  
BACON, HAMERLINCK,  
BEHN, JOHNSON,  
KAPUCIAN, HAHN,  
McKINLEY, ERNST, DIX,  
SMITH, and WHITVER

**A BILL FOR**

1 An Act relating to illegal immigration, providing penalties,  
2 and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1518SS (5) 84  
je/rj





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1 1 Section 1. NEW SECTION. 13.11 Memorandum of understanding  
1 2 ==== immigration issues.  
1 3 1. The attorney general shall negotiate the terms of a  
1 4 memorandum of understanding between the state of Iowa and  
1 5 the United States department of justice or the United States  
1 6 department of homeland security concerning the enforcement of  
1 7 federal immigration and custom laws, detention and removal of  
1 8 unauthorized aliens, and investigations in the state of Iowa.  
1 9 2. The memorandum of understanding shall be signed on behalf  
1 10 of this state by the attorney general and the governor or as  
1 11 otherwise required by the appropriate federal agency.  
1 12 3. A local governmental entity shall not enact any ordinance  
1 13 or policy that limits or prohibits a law enforcement officer,  
1 14 local official, or local government employee from communicating  
1 15 or cooperating with federal officials with regard to the  
1 16 immigration status of any person within this state.  
1 17 4. Notwithstanding any other provision of law, a  
1 18 governmental entity or official within this state shall not  
1 19 prohibit, or in any way restrict, any governmental entity or  
1 20 official from sending to, or receiving from, the United States  
1 21 department of homeland security, information regarding the  
1 22 citizenship or immigration status, lawful or unlawful, of any  
1 23 person.  
1 24 5. Notwithstanding any other provision of law, a person or  
1 25 governmental agency shall not prohibit, or in any way restrict,  
1 26 a public employee from doing any of the following with respect  
1 27 to information regarding the immigration status, lawful or  
1 28 unlawful, of any person:  
1 29 a. Sending information to, or requesting or receiving such  
1 30 information from, the United States department of homeland  
1 31 security.  
1 32 b. Maintaining the information in paragraph "a".  
1 33 c. Exchanging the information in paragraph "a" with any  
1 34 other federal, state, or local governmental entity.  
1 35 6. Any natural person lawfully domiciled in this state may



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2 1 file for a writ of mandamus to compel any noncooperating local  
2 2 or state governmental entity to comply with the information  
2 3 sharing provisions set forth in this section.  
2 4     Sec. 2. NEW SECTION. 91A.15 Independent contractors ==== wage  
2 5 withholding.  
2 6     1. An employer shall withhold state income tax at the  
2 7 rate of six percent of the amount of compensation paid to  
2 8 an individual, which compensation is required to be reported  
2 9 on internal revenue service form 1099 and with respect to  
2 10 which the individual has failed to provide a valid social  
2 11 security number issued by the United States social security  
2 12 administration.  
2 13     2. An employer who fails to comply with the withholding  
2 14 requirements of subsection 1 shall be liable for the taxes  
2 15 required to have been withheld unless the employer is exempt  
2 16 from federal withholding with respect to such an individual  
2 17 pursuant to a properly filed internal revenue service form 8233  
2 18 or its equivalent, and has provided a copy of such form to the  
2 19 department of revenue.  
2 20     Sec. 3. NEW SECTION. 91F.1 Definitions.  
2 21     As used in this chapter, unless the context otherwise  
2 22 requires:  
2 23     1. "Commissioner" means the labor commissioner appointed  
2 24 pursuant to section 91.2, or the commissioner's designee.  
2 25     2. "E=verify program" means one of the following:  
2 26     a. The electronic verification of work authorization status  
2 27 program authorized by the federal Illegal Immigration Reform  
2 28 and Immigrant Responsibility Act of 1996, 8 U.S.C. { 1324a,  
2 29 operated by the United States department of homeland security.  
2 30     b. Any federal work authorization status program equivalent  
2 31 to the program described in paragraph "a" and operated by  
2 32 the United States department of homeland security or any  
2 33 other designated federal agency authorized to verify the work  
2 34 authorization status of newly hired employees, pursuant to the  
2 35 federal Immigration Reform and Control Act of 1986, Pub. L. No.



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3 1 99=603.

3 2 3. "Public employer" means this state, its boards,  
3 3 commissions, agencies, and departments, and its political  
3 4 subdivisions including school districts and other special  
3 5 purpose districts.

3 6 4. "Subcontractor" means a subcontractor, contract  
3 7 employee, staffing agency, or any contractor regardless of the  
3 8 contractor's tier.

3 9 5. "Unfair trade practice" means any practice that offends  
3 10 established public policy or is immoral, unethical, oppressive,  
3 11 unscrupulous, or substantially injurious to consumers.

3 12 Sec. 4. NEW SECTION. 91F.2 E=verify program ====  
3 13 participation.

3 14 1. Each public employer shall register and participate in  
3 15 the e=verify program to verify the work authorization status  
3 16 of all newly hired employees.

3 17 2. a. A public employer shall not enter into a contract  
3 18 for the performance of services within this state unless the  
3 19 contractor registers and participates in the e=verify program  
3 20 to verify the work authorization status of all newly hired  
3 21 employees.

3 22 b. A contractor or subcontractor shall not enter into a  
3 23 contract or subcontract with a public employer in connection  
3 24 with the physical performance of services within this  
3 25 state unless the contractor or subcontractor registers and  
3 26 participates in the e=verify program to verify the work  
3 27 authorization status of all newly hired employees.

3 28 3. The discharge of any United States citizen or permanent  
3 29 resident alien employee by an employer of this state, who, on  
3 30 the date of the discharge employed an unauthorized alien, as  
3 31 defined in section 710B.1, shall constitute an unfair trade  
3 32 practice, and the discharged employee shall have a private  
3 33 right of action for such unfair trade practice.

3 34 4. The provisions of this chapter shall be enforced without  
3 35 regard to race, religion, gender, ethnicity, or national



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4 1 origin.

4 2 5. The commissioner shall prescribe forms and administer  
4 3 and effectuate the provisions of this chapter and publish any  
4 4 rules on the department of workforce development's internet  
4 5 site.

4 6 Sec. 5. NEW SECTION. 234.15 Citizenship verification  
4 7 program === public benefits.

4 8 1. Except as provided in subsection 3 or where exempted  
4 9 by federal law, every state agency and political subdivision  
4 10 of this state shall verify the lawful presence in the United  
4 11 States of any natural person fourteen years of age and older  
4 12 who has applied for state or local public benefits, as defined  
4 13 in 8 U.S.C. { 1621, or for federal public benefits, as defined  
4 14 in 8 U.S.C. { 1611, that are administered by a state agency or  
4 15 political subdivision of this state.

4 16 2. The provisions of this section shall be enforced without  
4 17 regard to race, religion, gender, ethnicity, or national  
4 18 origin.

4 19 3. Verification of a person's lawful presence in the United  
4 20 States under the provisions of this section shall not be  
4 21 required for the following:

4 22 a. For any purpose for which lawful presence in the United  
4 23 States is not restricted by law.

4 24 b. For assistance for health care items and services  
4 25 that are necessary for the treatment of an emergency medical  
4 26 condition, as defined in 42 U.S.C. { 1396b(v)(3), of the  
4 27 unauthorized alien involved and are not related to an organ  
4 28 transplant procedure.

4 29 c. For short-term, noncash, in-kind emergency disaster  
4 30 relief.

4 31 d. For public health assistance for immunizations with  
4 32 respect to diseases and for testing and treatment of symptoms  
4 33 of communicable diseases whether or not such symptoms are  
4 34 caused by a communicable disease.

4 35 e. For programs, services, or assistance such as soup



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5 1 kitchens, crisis counseling and intervention, and short-term  
5 2 shelter specified by the United States attorney general, in the  
5 3 sole and unreviewable discretion of the United States attorney  
5 4 general after consultation with appropriate federal agencies  
5 5 and departments, which meet all of the following criteria:  
5 6 (1) Deliver in-kind services at the community level,  
5 7 including through public or private nonprofit agencies.  
5 8 (2) Do not condition the provision of assistance, the amount  
5 9 of assistance provided, or the cost of assistance provided on  
5 10 the income or resources of the individual recipient.  
5 11 (3) Are necessary for the protection of life or safety.  
5 12 f. For prenatal care.  
5 13 4. To verify a natural person's lawful presence in the  
5 14 United States in order to receive benefits, the state agency or  
5 15 political subdivision required to make such verification shall  
5 16 require the applicant to execute an affidavit under penalty of  
5 17 perjury that makes one of the following assertions:  
5 18 a. The applicant is a United States citizen.  
5 19 b. The applicant is a qualified alien under the federal  
5 20 Immigration and Nationality Act, as codified in Tit. 8, United  
5 21 States Code, and is lawfully present in the United States.  
5 22 5. For any applicant who has executed the affidavit  
5 23 described in subsection 4, paragraph "b", eligibility for  
5 24 benefits shall be verified through the federal systematic  
5 25 alien verification for entitlement program operated by the  
5 26 United States department of homeland security or a successor  
5 27 program designated by the United States department of homeland  
5 28 security. Until such eligibility verification is made, the  
5 29 affidavit may be presumed to be proof of lawful presence for  
5 30 the purposes of this section.  
5 31 6. a. A person who knowingly and willfully makes a false,  
5 32 fictitious, or fraudulent statement of representation in an  
5 33 affidavit executed pursuant to subsection 4, shall be guilty of  
5 34 a fraudulent practice pursuant to section 714.8, subsection 3.  
5 35 b. If the affidavit constitutes a false claim of United



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6 1 States citizenship under 18 U.S.C. { 911, a complaint shall  
6 2 be filed by the state agency requiring the affidavit with the  
6 3 United States attorney's office in the appropriate district in  
6 4 this state.

6 5 7. A state agency or political subdivision of this state  
6 6 may adopt variations to the requirements of this section which  
6 7 demonstrably improve the efficiency or reduce delay in the  
6 8 verification process, or to provide for adjudication of unique  
6 9 individual circumstances where the verification procedures in  
6 10 this section would impose unusual hardship on a legal resident  
6 11 of this state.

6 12 8. A state agency or political subdivision of this state  
6 13 shall not provide any state, local, or federal benefit, as  
6 14 defined in 8 U.S.C. { 1621 or 8 U.S.C. { 1611, in violation of  
6 15 the provisions of this section.

6 16 9. Each state agency that administers any program of state  
6 17 or local public benefits shall provide an annual report to  
6 18 the secretary of state with respect to its compliance with  
6 19 the provisions of this section. Any and all errors shall  
6 20 be reported to the United States department of homeland  
6 21 security by the secretary of state. The secretary of state  
6 22 shall monitor the federal systematic alien verification for  
6 23 entitlement program and its verification application errors  
6 24 and significant delays and shall provide an annual report  
6 25 to the governor and the general assembly on such errors  
6 26 and significant delays, and recommendations to ensure that  
6 27 the application of the systematic alien verification for  
6 28 entitlement program is not erroneously denying benefits to  
6 29 legal residents of this state.

6 30 Sec. 6. NEW SECTION. 710B.1 Unlawful assistance ====  
6 31 unauthorized aliens ==== penalty.

6 32 1. For purposes of this section, "unauthorized alien" means  
6 33 a person who is not lawfully present in the United States.

6 34 2. A person shall not transport, move, or attempt to  
6 35 transport within this state any unauthorized alien, knowing



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7 1 or in reckless disregard of the fact that the unauthorized  
7 2 alien has come to, entered, or remained in the United States in  
7 3 violation of law, in furtherance of the illegal presence of the  
7 4 unauthorized alien in the United States.  
7 5 3. A person shall not conceal, harbor, or shelter from  
7 6 detection any unauthorized alien in any place, including any  
7 7 building or means of transportation, knowing or in reckless  
7 8 disregard of the fact that the unauthorized alien has come to,  
7 9 entered, or remained in the United States in violation of law.  
7 10 4. A person who violates this section is guilty of a serious  
7 11 misdemeanor.  
7 12 Sec. 7. NEW SECTION. 710B.2 Unauthorized aliens ==== official  
7 13 documents.  
7 14 1. Notwithstanding any other provision of law, the  
7 15 following identification documents shall be issued only to  
7 16 United States citizens, legal permanent resident aliens, or  
7 17 holders of valid unexpired nonimmigrant visas.  
7 18 a. Any driver's licenses or nonoperator's identification  
7 19 cards pursuant to chapter 321, birth certificates pursuant to  
7 20 chapter 144, or other identification documents required by  
7 21 law or any legitimate purpose consistent with the duties of a  
7 22 federal, state, or local governmental entity.  
7 23 b. Identification designed to identify the bearer as a  
7 24 student, faculty member, administrator, or employee of any  
7 25 public or nonpublic school or state or private educational  
7 26 institution.  
7 27 2. a. The provisions of subsection 1 shall not apply  
7 28 when an applicant presents, in person, proof of United States  
7 29 citizenship including but not limited to one of the following:  
7 30 (1) A federal passport.  
7 31 (2) A state driver's license or state nonoperator's  
7 32 identification card.  
7 33 (3) A certified birth certificate.  
7 34 b. The provisions of subsection 1 shall not apply when an  
7 35 applicant presents, in person, valid documentary evidence of



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8 1 any of the following:

8 2 (1) A valid unexpired immigrant or nonimmigrant visa status  
8 3 for admission to the United States.

8 4 (2) A pending or approved application for asylum in the  
8 5 United States.

8 6 (3) Admission into the United States in refugee status.

8 7 (4) A pending or approved application for temporary  
8 8 protected status in the United States.

8 9 (5) Approved deferred action status.

8 10 (6) A pending application for adjustment of status to legal  
8 11 permanent residence status or conditional residence status.

8 12 3. a. Upon presentation of valid documentary evidence in  
8 13 subsection 2, paragraph "b", the applicant may be issued an  
8 14 identification document as provided in subsection 1, unless  
8 15 otherwise prohibited by law. Such identification document  
8 16 shall be valid only during the time of the authorized stay of  
8 17 the applicant in the United States, or if there is no definite  
8 18 end to the period of authorized stay, a period of one year.

8 19 b. An identification document issued pursuant to this  
8 20 subsection shall clearly indicate that it is temporary  
8 21 and shall state the date that the identification document  
8 22 expires. Such identification document may be renewed only  
8 23 upon presentation of valid documentary evidence that the  
8 24 status by which the applicant qualified for the identification  
8 25 document has been extended by the United States citizenship  
8 26 and immigration services or United States immigration and  
8 27 customs enforcement of the United States department of homeland  
8 28 security.

8 29 4. Any driver's license or nonoperator's identification  
8 30 card issued pursuant to chapter 321 for which an application  
8 31 has been made for renewal, duplication, or reissuance shall be  
8 32 presumed to have been issued in accordance with the provisions  
8 33 of subsection 1, provided that, at the time the application  
8 34 is made, the driver's license or nonoperator's identification  
8 35 card has not expired, or been canceled, suspended, or





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9 1 revoked. The requirements of subsection 1 shall apply to  
9 2 a renewal, duplication, or reissuance if the department of  
9 3 transportation receives information or is notified by a local,  
9 4 state, or federal agency that the person seeking such renewal,  
9 5 duplication, or reissuance is neither a citizen of the United  
9 6 States nor lawfully present in the United States.

9 7 Sec. 8. NEW SECTION. 710B.3 Criminal conduct ==== immigration  
9 8 status verification.

9 9 1. A reasonable effort shall be made to determine the  
9 10 citizenship of a person charged with a serious misdemeanor  
9 11 or a more serious offense, or who is charged with operating  
9 12 while intoxicated pursuant to section 321J.2, if the person is  
9 13 confined for any period in a county jail or city jail.

9 14 2. If the person is not a United States citizen, the keeper  
9 15 of the jail or other officer shall make a reasonable effort  
9 16 to verify that the prisoner has been lawfully admitted into  
9 17 the United States, and if lawfully admitted, that such lawful  
9 18 status has not expired. If verification of the prisoner's  
9 19 lawful status cannot be made from documents in the possession  
9 20 of the prisoner, verification shall be made within forty-eight  
9 21 hours through a query to United States immigration and customs  
9 22 enforcement in the United States department of homeland  
9 23 security or other office or agency designated for that purpose.  
9 24 If the prisoner is determined not to be lawfully admitted to  
9 25 the United States, the keeper of the jail or other officer  
9 26 shall notify the United States department of homeland security.

9 27 3. For the purpose of determining the grant of or issuance  
9 28 of bond, a prisoner whose citizenship status has been verified  
9 29 pursuant to subsection 2 to be an unauthorized alien, shall be  
9 30 deemed a flight risk.

9 31 4. The department of public safety shall by rule adopt  
9 32 guidelines and procedures to be used to comply with the  
9 33 provisions of this section.

9 34 Sec. 9. EFFECTIVE DATE. This Act takes effect January 1,  
9 35 2012.



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10 1 EXPLANATION  
10 2 This bill relates to illegal immigration in Iowa.  
10 3 The bill directs the attorney general pursuant to new Code  
10 4 section 13.11 to negotiate a memorandum of understanding (MOU)  
10 5 regarding immigration issues between the state and the United  
10 6 States department of justice or the United States department  
10 7 of homeland security in order to increase joint enforcement of  
10 8 federal immigration law with the United States department of  
10 9 homeland security.  
10 10 In new Code section 91A.15, the bill requires an employer  
10 11 to withhold state income tax from the compensation of an  
10 12 independent contractor who fails to provide a valid social  
10 13 security number. An employer who fails to withhold such  
10 14 required income taxes shall be liable for that amount.  
10 15 The bill creates new Code chapter 91F, which requires  
10 16 that each public employer use the federal electronic work  
10 17 authorization program, known as e=verify, to verify the  
10 18 lawful presence of newly hired employees. Public employers  
10 19 are prohibited from entering into contracts unless the  
10 20 contractors register and participate in the e=verify program.  
10 21 The discharge of a United States citizen or a permanent  
10 22 resident alien employee of an employer, who, on the date of the  
10 23 discharge employed an unauthorized alien, shall constitute an  
10 24 unfair trade practice and the discharged employee shall have a  
10 25 private right of action.  
10 26 Under Code section 234.15, the bill requires each state  
10 27 agency or political subdivision to verify the lawful presence  
10 28 of each natural person age 14 years or older who applies  
10 29 for state or local benefits, or federal benefits that are  
10 30 administered by the state agency or political subdivision  
10 31 using the systematic alien verification for entitlement  
10 32 program (SAVE). The Code section includes medical and disaster  
10 33 exceptions for the verification requirement. The state  
10 34 agencies and political subdivisions are required to follow a  
10 35 detailed process for verifying a person's lawful presence,



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11 1 including completion of an affidavit by the applicant asserting  
11 2 the applicant's lawful presence in the United States. A  
11 3 person who knowingly and willfully makes a false, fictitious,  
11 4 or fraudulent statement in an affidavit commits a fraudulent  
11 5 practice, and may be subject to a class "C" felony through  
11 6 a simple misdemeanor depending on the value of the services  
11 7 and property fraudulently received. A class "C" felony is  
11 8 punishable by confinement for no more than 10 years and a  
11 9 fine of at least \$1,000 but not more than \$10,000. A class  
11 10 "D" felony is punishable by confinement for no more than five  
11 11 years and a fine of at least \$750 but not more than \$7,500. An  
11 12 aggravated misdemeanor is punishable by confinement for no more  
11 13 than two years and a fine of at least \$625 but not more than  
11 14 \$6,250. A serious misdemeanor is punishable by confinement for  
11 15 no more than one year and a fine of at least \$315 but not more  
11 16 than \$1,875. A simple misdemeanor is punishable by confinement  
11 17 for no more than 30 days or a fine of at least \$65 but not more  
11 18 than \$625 or by both.

11 19 An annual report shall be compiled by the secretary of  
11 20 state about the use of the SAVE program by the state agencies  
11 21 and political subdivisions and the number of errors and any  
11 22 significant delays. The report shall be provided to the  
11 23 governor and general assembly.

11 24 The bill creates new Code chapter 710B. Under Code section  
11 25 710B.1, a person shall not transport, harbor, or shelter  
11 26 an alien in reckless disregard for the person's illegal  
11 27 immigration status. Such a violation is a serious misdemeanor,  
11 28 which is punishable by confinement for no more than one year  
11 29 and a fine of at least \$315 but not more than \$1,875.

11 30 New Code section 710B.2 restricts the issuance of most  
11 31 official identification documents only to United States  
11 32 citizens, legal permanent residents, and holders of valid  
11 33 unexpired visas.

11 34 The bill provides that a reasonable effort shall be made to  
11 35 determine the citizenship of a person charged with a serious



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12 1 misdemeanor or a more serious offense, or who is charged with  
12 2 operating while intoxicated pursuant to Code section 321J.2,  
12 3 if the person is confined for any period in a county jail or  
12 4 city jail. Specific procedures are required to be followed by  
12 5 law enforcement to verify the immigration status of a person in  
12 6 custody. If the person is an unauthorized alien, the person  
12 7 shall be reported to the United States department of homeland  
12 8 security. The department of public safety is charged with  
12 9 adopting guidelines and procedures for complying with this  
12 10 provision.

12 11 The bill takes effect January 1, 2012.

LSB 1518SS (5) 84

je/rj



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**Senate File 103 - Introduced**

SENATE FILE  
BY JOCHUM

**A BILL FOR**

1 An Act relating to the amount of certain civil penalties that  
2 may be imposed by the board of pharmacy.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1546XS (2) 84  
jr/sc



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Senate File 103 - Introduced continued

PAG LIN

1 1 Section 1. Section 155A.18, Code 2011, is amended to read  
1 2 as follows:  
1 3 155A.18 Penalties.  
1 4 The board shall impose penalties as allowed under section  
1 5 272C.3. In addition, civil penalties not to exceed ~~twenty-five~~  
~~1 6~~ two hundred fifty thousand dollars, may be imposed.

1 7 EXPLANATION  
1 8 This bill increases the amount of the additional civil  
1 9 penalty that may be imposed by the board of pharmacy from  
1 10 \$25,000 to \$250,000.

LSB 1546XS (2) 84

jr/sc



Iowa General Assembly  
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January 26, 2011

**Senate File 104 - Introduced**

SENATE FILE

BY SORENSON, CHELGREN,  
BERTRAND, FEENSTRA,  
BOETTGER, SEYMOUR,  
BARTZ, ANDERSON,  
BACON, BEHN,  
KETTERING, JOHNSON,  
KAPUCIAN, GREINER,  
HAHN, HAMERLINCK,  
ZAUN, MCKINLEY, ERNST,  
DIX, SMITH, WHITVER,  
WARD, and HOUSER

**A BILL FOR**

1 An Act relating to verification of social security numbers for  
2 public programs under the purview of the department of human  
3 services.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1514SS (2) 84  
pf/nh



**Iowa General Assembly  
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Senate File 104 - Introduced continued

PAG LIN

1 1 Section 1. VERIFICATION OF SOCIAL SECURITY NUMBERS ====  
1 2 DEPARTMENT OF HUMAN SERVICES PUBLIC PROGRAMS. The department  
1 3 of human services shall adopt rules to require that any  
1 4 program supported by public funds under the department of human  
1 5 services shall require verification by state or local staff,  
1 6 as applicable, of the social security number of any applicant  
1 7 for program services. The department shall incorporate the  
1 8 verification requirement into all application processes in the  
1 9 most cost=effective manner.

1 10 EXPLANATION

1 11 This bill requires the department of human services to adopt  
1 12 rules to require that any program supported by public funds  
1 13 under the purview of the department require verification by  
1 14 state or local staff, as applicable, of the social security  
1 15 number of any applicant for program services. The department  
1 16 is directed to incorporate the verification requirement into  
1 17 all application processes in the most cost=effective manner.

LSB 1514SS (2) 84

pf/nh





Iowa General Assembly  
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**Senate File 105 - Introduced**

SENATE FILE

BY ZAUN, BOETTGER, BACON,  
GREINER, FEENSTRA,  
JOHNSON, SORENSON,  
WARD, HOUSER, SEYMOUR,  
BEHN, MCKINLEY,  
KETTERING, ANDERSON,  
BERTRAND, ERNST,  
HAMERLINCK, and HAHN

**A BILL FOR**

- 1 An Act concerning the retention of existing highway rest areas.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
    TL5B 1522XS (3) 84  
    dea/sc



Iowa General Assembly  
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Senate File 105 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 313.69 Rest area construction ====  
1 2 retention of existing rest areas.  
1 3 Before a decision is made to build a new rest area, the  
1 4 department shall conduct a thorough cost=benefit analysis  
1 5 to compare the cost of locating and constructing a new rest  
1 6 area and the cost of keeping an existing rest area open.  
1 7 The department shall consider all available options for  
1 8 reconstructing, expanding, or otherwise improving an existing  
1 9 rest area in accordance with section 306C.21 and shall not  
1 10 proceed with construction of a new rest area unless it is  
1 11 determined that making improvements to the existing rest area  
1 12 would be cost prohibitive.

1 13 EXPLANATION  
1 14 This bill requires the department of transportation to  
1 15 conduct a cost=benefit analysis before proceeding with  
1 16 construction of a new rest area along an interstate, freeway  
1 17 primary, or primary highway. The department is to consider all  
1 18 available options for reconstructing, expanding, or otherwise  
1 19 improving existing rest areas and may not proceed with new  
1 20 construction unless it is determined that making improvements  
1 21 to the existing rest area would be cost prohibitive.

LSB 1522XS (3) 84

dea/sc



Iowa General Assembly  
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**Senate File 106 - Introduced**

SENATE FILE

BY BACON, BOETTGER,  
JOHNSON, HAMERLINCK,  
ZAUN, CHELGREN, ERNST,  
GREINER, BERTRAND,  
SORENSEN, WARD, BARTZ,  
and FEENSTRA

**A BILL FOR**

1 An Act providing an exemption from the computation of the  
2 individual state income tax of all pay received for  
3 active duty military service and including retroactive  
4 applicability provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1110XS (2) 84  
tw/sc



**Iowa General Assembly  
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Senate File 106 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.7, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 42A. Subtract, to the extent included,  
1 4 all pay received by the taxpayer from the federal government  
1 5 for military service performed while on active duty status in  
1 6 the armed forces, the armed forces military reserve, or the  
1 7 national guard.

1 8 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies  
1 9 retroactively to January 1, 2011, for tax years beginning on  
1 10 or after that date.

1 11 EXPLANATION

1 12 This bill exempts from the individual income tax all pay  
1 13 received by a taxpayer from the federal government for military  
1 14 service performed while on active duty status in the armed  
1 15 forces, the armed forces military reserve, or the national  
1 16 guard.

1 17 The bill applies retroactively to January 1, 2011, for tax  
1 18 years beginning on or after that date.

LSB 1110XS (2) 84

tw/sc



Iowa General Assembly  
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**Senate File 107 - Introduced**

SENATE FILE

BY ZAUN, BOETTGER, ERNST,  
HAHN, FEENSTRA,  
JOHNSON, HOUSER, and  
SEYMOUR

**A BILL FOR**

1 An Act providing a property assessment adjustment for certain  
2 property of persons who have attained the age of sixty=five,  
3 providing a penalty, and including retroactive and other  
4 applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1710XS (5) 84

md/sc



**Iowa General Assembly  
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Senate File 107 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 425B.1 Homestead assessed value  
1 2 adjustment == purpose.  
1 3 Persons who own their homesteads and who meet the  
1 4 qualifications provided in this chapter are eligible for an  
1 5 adjustment in the assessed value of their homesteads, as  
1 6 provided in this chapter, to prevent an increase in such  
1 7 values.  
1 8 Sec. 2. NEW SECTION. 425B.2 Definitions.  
1 9 As used in this chapter, unless the context otherwise  
1 10 requires:  
1 11 1. "Assessed value" means the actual value prior to any  
1 12 adjustment pursuant to section 441.21, subsection 4.  
1 13 2. "Base assessment year" means the assessment year  
1 14 beginning in the base year.  
1 15 3. "Base year" means the calendar year last ending before  
1 16 the claim is filed.  
1 17 4. "Claimant" means a person filing a claim for adjustment  
1 18 under this chapter who has attained the age of sixty=five years  
1 19 on or before December 31 of the base year and is domiciled in  
1 20 this state at the time the claim is filed or at the time of the  
1 21 person's death in the case of a claim filed by the executor or  
1 22 administrator of the claimant's estate.  
1 23 5. "Homestead" means the dwelling owned and actually used  
1 24 as a home by the claimant during any part of the base year  
1 25 and so much of the land surrounding it, including one or more  
1 26 contiguous lots or tracts of land, as is reasonably necessary  
1 27 for use of the dwelling as a home, and may consist of a part  
1 28 of a multidwelling or multipurpose building and a part of the  
1 29 land upon which it is built. It does not include personal  
1 30 property except that a manufactured or mobile home may be  
1 31 a homestead. Any dwelling or a part of a multidwelling or  
1 32 multipurpose building which is exempt from taxation does not  
1 33 qualify as a homestead under this chapter. A homestead must  
1 34 be located in this state. When a person is confined in a  
1 35 nursing home, extended=care facility, or hospital, the person



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Senate File 107 - Introduced continued

2 1 shall be considered as occupying or living in the person's  
2 2 homestead if the person is the owner of the homestead and the  
2 3 person maintains the homestead and does not lease, rent, or  
2 4 otherwise receive profits from other persons for the use of the  
2 5 homestead.

2 6 6. "Owned" means owned by an owner as defined in section  
2 7 425.11.

2 8 Sec. 3. NEW SECTION. 425B.3 Right to file a claim.

2 9 The right to file a claim for an assessed value adjustment  
2 10 under this chapter may be exercised by the claimant or on  
2 11 behalf of a claimant by the claimant's legal guardian, spouse,  
2 12 or attorney, or by the executor or administrator of the  
2 13 claimant's estate. If a claimant dies after having filed a  
2 14 claim for adjustment, the amount of any adjustment shall be  
2 15 made as if the claimant had not died.

2 16 Sec. 4. NEW SECTION. 425B.4 Claim for adjustment.

2 17 1. Subject to the limitations provided in this chapter,  
2 18 a claimant may annually claim an adjustment of the assessed  
2 19 value of the claimant's homestead for the base assessment year.  
2 20 The adjustment claim shall be filed with the county assessor  
2 21 between January 1 and February 15 immediately following  
2 22 the close of the base assessment year. However, in case of  
2 23 sickness, absence, or other disability of the claimant, or  
2 24 if in the judgment of the county assessor good cause exists,  
2 25 the county assessor may extend the time for filing a claim for  
2 26 adjustment through June 30 of the same calendar year.

2 27 2. The county assessor shall notify the department of  
2 28 revenue by March 1 of the number of claimants receiving  
2 29 adjustments under this chapter and the total amount of the  
2 30 reduced assessed values for the base assessment year.

2 31 Sec. 5. NEW SECTION. 425B.5 Adjustment == maximum tax  
2 32 dollars levied.

2 33 If the claimant's assessed value in the base assessment year  
2 34 prior to an adjustment under this chapter is less than one  
2 35 hundred fifty thousand dollars or if the claimant's assessed



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Senate File 107 - Introduced continued

3 1 value for the assessment year preceding the base assessment  
3 2 year, if adjusted under this chapter, is less than one hundred  
3 3 fifty thousand dollars, the assessed value of the claimant's  
3 4 homestead in the base assessment year shall be adjusted, but  
3 5 not increased, to equal the assessed value, as such assessed  
3 6 value may have been adjusted pursuant to this chapter, in the  
3 7 assessment year preceding the base assessment year. If the  
3 8 amount of property taxes levied against the adjusted assessment  
3 9 exceed the amount of property taxes levied against the property  
3 10 in the fiscal year for which taxes were first levied against  
3 11 an adjusted assessment under this chapter, the treasurer shall  
3 12 subtract the difference from the amount due.

3 13 Sec. 6. NEW SECTION. 425B.6 Administration.

3 14 The director of revenue shall make available suitable forms  
3 15 for claiming an assessed value adjustment with instructions  
3 16 for claimants. Each assessor and county treasurer shall make  
3 17 available the forms and instructions. The claim shall be in a  
3 18 form as the director may prescribe.

3 19 Sec. 7. NEW SECTION. 425B.7 Proof of claim.

3 20 1. Every claimant shall give the department of revenue, in  
3 21 support of the claim, reasonable proof of:

3 22 a. Age.

3 23 b. Changes of homestead.

3 24 c. Size and nature of the property claimed as the homestead.

3 25 2. The director of revenue may require any additional proof  
3 26 necessary to support a claim.

3 27 Sec. 8. NEW SECTION. 425B.8 Audit == denial.

3 28 If on the audit of a claim for adjustment under this chapter,  
3 29 the director of revenue determines the claim is not allowable,  
3 30 the director shall notify the claimant of the denial and the  
3 31 reasons for it. The director shall not deny a claim after  
3 32 three years from October 31 of the year in which the claim was  
3 33 filed. The director shall give notification to the county  
3 34 assessor of the denial of the claim and the county assessor  
3 35 shall instruct the county treasurer to proceed to collect the





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Senate File 107 - Introduced continued

4 1 tax that would have been levied on the applicable adjusted  
4 2 assessed value in the same manner as other property taxes  
4 3 due and payable are collected, if the property on which the  
4 4 adjustment was granted is still owned by the claimant.  
4 5     Sec. 9. NEW SECTION. 425B.9 Waiver of confidentiality.  
4 6     1. A claimant shall expressly waive any right to  
4 7 confidentiality relating to all information available to the  
4 8 county assessor who shall hold the information confidential  
4 9 except that it may be used as evidence to disallow the assessed  
4 10 value adjustment.  
4 11     2. The department of revenue may release information  
4 12 pertaining to a person's eligibility or claim for or receipt of  
4 13 the assessed value adjustment to an employee of the department  
4 14 of inspections and appeals in the employee's official conduct  
4 15 of an audit or investigation.  
4 16     Sec. 10. NEW SECTION. 425B.10 False claim == penalty.  
4 17     A person who makes a false affidavit for the purpose of  
4 18 obtaining an adjustment in assessed value provided for in  
4 19 this chapter or who knowingly receives the adjustment without  
4 20 being legally entitled to it or makes claim for the adjustment  
4 21 in more than one county in the state without being legally  
4 22 entitled to it is guilty of a fraudulent practice. The claim  
4 23 for adjustment shall be disallowed in full and property tax  
4 24 shall be levied on the disallowed adjustment at the rate that  
4 25 would have been levied but for the adjustment. The director of  
4 26 revenue shall send a notice of disallowance of the claim.  
4 27     Sec. 11. NEW SECTION. 425B.11 Statutes applicable.  
4 28     To the extent not otherwise contrary, the provisions of  
4 29 sections 425.30, 425.31, 425.32, and 425.37 apply to this  
4 30 chapter.  
4 31     Sec. 12. IMPLEMENTATION OF ACT. Section 25B.7 shall not  
4 32 apply to reductions in the total amount of property taxes due  
4 33 under section 425B.5.  
4 34     Sec. 13. APPLICABILITY. This Act applies retroactively to  
4 35 January 1, 2011, for assessment years beginning on or after



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Senate File 107 - Introduced continued

5 1 that date and to the filing of claims on or after January 1,  
5 2 2012, for adjustments of assessed values.

5 3 EXPLANATION

5 4 This bill provides for an adjustment in the assessed value  
5 5 of a homestead, as defined in the bill, if the owner is a  
5 6 person who is 65 or older. The bill also limits the adjustment  
5 7 to assessed value to homesteads that have certain assessed  
5 8 valuations of less than \$150,000. The assessed value of the  
5 9 homestead upon which property taxes are levied in a fiscal  
5 10 year is the same assessed value as for the previous fiscal  
5 11 year. Assessed value is that value prior to any rollback being  
5 12 applied.

5 13 The bill provides that a person who makes a false affidavit  
5 14 for the purpose of obtaining an adjustment, knowingly receives  
5 15 the adjustment without being legally entitled to it, or makes  
5 16 claim for the adjustment in more than one county without being  
5 17 legally entitled to it is guilty of a fraudulent practice and  
5 18 is subject to a criminal penalty.

5 19 The bill provides that the provisions of Code section 25B.7  
5 20 requiring the state to fund reimbursements for property tax  
5 21 credits and exemptions do not apply to reductions in the total  
5 22 amount of property taxes due under new Code section 425B.5.

5 23 The bill applies retroactively to January 1, 2011, for  
5 24 assessment years beginning on or after that date and applies to  
5 25 claims filed on or after January 1, 2012, for the adjustments.

LSB 1710XS (5) 84

md/sc



Iowa General Assembly  
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**Senate File 108 - Introduced**

SENATE FILE  
BY SENG

**A BILL FOR**

1 An Act appropriating moneys to the department of economic  
2 development for tourism marketing and promotion.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1976SS (2) 84  
tw/nh



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Senate File 108 - Introduced continued

PAG LIN

1 1 Section 1. TOURISM MARKETING AND PROMOTION. There is  
1 2 appropriated from the general fund of the state to the  
1 3 department of economic development for the fiscal year  
1 4 beginning July 1, 2011, and ending June 30, 2012, the following  
1 5 amount, or so much thereof as is necessary, to be used for the  
1 6 purposes designated:

1 7 For tourism marketing and promotion, including salaries,  
1 8 support, maintenance, and miscellaneous purposes:  
1 9 ..... \$ 8,300,000

1 10 EXPLANATION

1 11 This bill appropriates \$8.3 million to the department of  
1 12 economic development from the general fund of the state for FY  
1 13 2011=2012 for purposes of tourism marketing and promotion.

LSB 1976SS (2) 84

tw/nh



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**Senate File 109 - Introduced**

SENATE FILE  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SF 52)

**A BILL FOR**

1 An Act eliminating the transfer tax imposed on insurers  
2 organized in other states who elect to become domestic  
3 insurers in Iowa.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1575SV (4) 84  
tw/sc



Iowa General Assembly  
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Senate File 109 - Introduced continued

PAG LIN

1 1 Section 1. Section 508.12, unnumbered paragraph 1, Code  
1 2 2011, is amended to read as follows:

1 3 An insurer which is organized under the laws of any state and  
1 4 has created or will create jobs in this state or which is an  
1 5 affiliate or subsidiary of a domestic insurer, and is admitted  
1 6 to do business in this state for the purpose of writing  
1 7 insurance authorized by this chapter may become a domestic  
1 8 insurer by complying with section 490.902 or 491.33 and with  
1 9 all of the requirements of law relative to the organization  
1 10 and licensing of a domestic insurer of the same type and by  
1 11 designating its principal place of business in this state, and,  
~~1 12 upon payment to the commissioner of insurance of a transfer~~  
~~1 13 tax in a sum equal to twenty-five percent of the premium tax~~  
~~1 14 paid pursuant to the provisions of chapter 432 for the last~~  
~~1 15 calendar year immediately preceding its becoming a domestic~~  
~~1 16 corporation or the sum of ten thousand dollars, whichever is~~  
~~1 17 the lesser but not less than one thousand dollars,~~ may become a  
1 18 domestic corporation and be entitled to like certificates of  
1 19 its corporate existence and license to transact business in  
1 20 this state, and be subject in all respects to the authority and  
1 21 jurisdiction thereof.

1 22 Sec. 2. Section 515.78, unnumbered paragraph 1, Code  
1 23 2011, is amended to read as follows:

1 24 An insurer which is organized under the laws of any state and  
1 25 has created or will create jobs in this state or which is an  
1 26 affiliate or subsidiary of a domestic insurer, and is admitted  
1 27 to do business in this state for the purpose of writing  
1 28 insurance authorized by this chapter may become a domestic  
1 29 insurer by complying with section 490.902 or 491.33 and with  
1 30 all of the requirements of law relative to the organization  
1 31 and licensing of a domestic insurer of the same type and by  
1 32 designating its principal place of business in this state, and,  
~~1 33 upon payment to the commissioner of insurance of a transfer~~  
~~1 34 tax in a sum equal to twenty-five percent of the premium tax~~  
~~1 35 paid pursuant to the provisions of chapter 432 for the last~~



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~~Senate File 109 - Introduced continued~~

~~2 1 calendar year immediately preceding its becoming a domestic~~  
~~2 2 corporation or the sum of ten thousand dollars, whichever is~~  
~~2 3 the lesser but not less than one thousand dollars, may become a~~  
2 4 domestic corporation and be entitled to like certificates of  
2 5 its corporate existence and license to transact business in  
2 6 this state, and be subject in all respects to the authority and  
2 7 jurisdiction thereof.

2 8 EXPLANATION

2 9 This bill eliminates the tax imposed on insurance companies  
2 10 organized in other jurisdictions who elect to become domestic  
2 11 insurers in Iowa and who have created or will create jobs in  
2 12 the state.

LSB 1575SV (4) 84

tw/sc



Iowa General Assembly  
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**Senate File 110 - Introduced**

SENATE FILE  
BY HATCH

**A BILL FOR**

1 An Act prohibiting specified alcoholic beverage licensees or  
2 permit holders from knowingly permitting or engaging in any  
3 criminal activity on the premises covered by the license or  
4 permit, and making penalties applicable.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1063XS (2) 84  
rn/nh





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Senate File 110 - Introduced continued

PAG LIN

1 1 Section 1. Section 123.49, subsection 2, paragraph j, Code  
1 2 2011, is amended to read as follows:

1 3 j. Knowingly permit or engage in any criminal activity  
1 4 on the premises covered by the license or permit. However,  
1 5 the absence of security personnel on the licensed premises  
1 6 is insufficient, without additional evidence, to prove that  
1 7 criminal activity occurring on the licensed premises was  
1 8 knowingly permitted in violation of this paragraph "j".

1 9 (1) For purposes of this paragraph "j", "premises" includes  
1 10 parking lots and areas adjacent to the premises of a liquor  
1 11 licensee or permittee authorized to sell alcoholic beverages  
1 12 for consumption on the licensed premises and used by patrons of  
1 13 the liquor licensee or permittee.

1 14 (2) For purposes of this paragraph "j", "premises" also  
1 15 includes parking lots and areas adjacent to the premises of  
1 16 a convenience store holding a liquor license or permit and  
1 17 authorized to sell alcoholic beverages for consumption off  
1 18 the licensed premises and used by patrons of the licensee or  
1 19 permittee. For purposes of this subparagraph, "convenience  
1 20 store" means a retail store occupying less than three thousand  
1 21 five hundred square feet of floor space and providing some  
1 22 combination of groceries, general merchandise, alcoholic  
1 23 beverages, auto supplies, and prepared foods.

1 24 EXPLANATION

1 25 This bill relates to the prohibition against a liquor  
1 26 licensee or beer and wine permittee under Code chapter 123  
1 27 knowingly permitting or engaging in any criminal activity on  
1 28 the premises covered by the license or permit.

1 29 Currently, for purposes of the prohibition, "premises"  
1 30 are defined to include parking lots and areas adjacent to  
1 31 the premises of licensees or permittees authorized to sell  
1 32 alcoholic beverages for consumption on the licensed premises  
1 33 and used by patrons of the liquor licensee or permittee. The  
1 34 bill extends the prohibition to parking lots and areas adjacent  
1 35 to the premises of a convenience store holding a liquor



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Senate File 110 - Introduced continued

2 1 license or permit and authorized to sell alcoholic beverages  
2 2 for consumption off the licensed premises. The bill defines  
2 3 a "convenience store" as a retail store occupying less than  
2 4 3,500 square feet of floor space and providing some combination  
2 5 of groceries, general merchandise, alcoholic beverages, auto  
2 6 supplies, and prepared foods.  
2 7 A violation of the bill's provisions constitutes a simple  
2 8 misdemeanor punishable by confinement for no more than 30 days  
2 9 or a fine of at least \$65 but not more than \$625 or by both.  
2 10 In addition, a violation is grounds for the suspension or  
2 11 revocation of a license or permit by the alcoholic beverages  
2 12 division or a local authority.

LSB 1063XS (2) 84

rn/nh



Iowa General Assembly  
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**Senate File 96 - Introduced**

SENATE FILE  
BY BOLKCOM and DOTZLER

**A BILL FOR**

1 An Act concerning requirements for motor vehicle operators  
2 when overtaking and passing a bicycle, and making penalties  
3 applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1885XS (4) 84  
dea/nh



**Iowa General Assembly  
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Senate File 96 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.299, Code 2011, is amended by adding  
1 2 the following new subsection:

1 3 NEW SUBSECTION. 3. The driver of a vehicle overtaking a  
1 4 bicycle proceeding in the same direction shall use an adjacent  
1 5 travel lane to pass and shall maintain a distance of not less  
1 6 than three feet between the right side of the driver's vehicle,  
1 7 including all mirrors or other projections, and the left side  
1 8 of the bicyclist. This subsection does not apply to implements  
1 9 of husbandry.

1 10 EXPLANATION

1 11 This bill requires the driver of a vehicle to use an  
1 12 adjacent travel lane when passing a bicycle proceeding in the  
1 13 same direction. In addition, the driver of the vehicle must  
1 14 maintain a distance of not less than three feet between the  
1 15 right side of the driver's vehicle, including all mirrors or  
1 16 other projections, and the left side of the bicyclist. The  
1 17 requirements do not apply to implements of husbandry.

1 18 The provisions of the bill are in addition to current law,  
1 19 applicable to both vehicles and bicycles, which requires a  
1 20 vehicle to pass to the left of the other vehicle at a safe  
1 21 distance and not return to the right side of the roadway until  
1 22 safely clear of the overtaken vehicle. The vehicle being  
1 23 passed is required to give way to the right in favor of the  
1 24 overtaking vehicle and not increase speed until completely  
1 25 passed by the overtaking vehicle. Exceptions apply in specific  
1 26 situations when passing on the right is permitted.

1 27 Pursuant to current law, a violation of requirements  
1 28 relating to overtaking and passing is a simple misdemeanor  
1 29 punishable by a scheduled fine of \$100. If a violation causes  
1 30 serious injury, the driver may be subject to an additional fine  
1 31 of \$500 or driver's license suspension for up to 90 days, or  
1 32 both. For a violation causing death, the driver may be subject  
1 33 to an additional fine of \$1,000 or license suspension for up to  
1 34 180 days, or both.

LSB 1885XS (4) 84

dea/nh



Iowa General Assembly  
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**Senate File 97 - Introduced**

SENATE FILE  
BY HANCOCK

**A BILL FOR**

1 An Act providing for expanded Iowa communications network  
2 access to include counties under specified circumstances.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1891XS (3) 84  
rn/nh



Iowa General Assembly  
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Senate File 97 - Introduced continued

PAG LIN

1 1 Section 1. Section 8D.2, subsection 5, paragraph a, Code  
1 2 2011, is amended to read as follows:  
1 3 a. "Public agency" means a state agency, an institution  
1 4 under the control of the board of regents, the judicial  
1 5 branch as provided in section 8D.13, subsection 16, a school  
1 6 corporation, a county as provided in section 8D.13, subsection  
1 7 15, a city library, a library service area as provided in  
1 8 chapter 256, a county library as provided in chapter 336,  
1 9 or a judicial district department of correctional services  
1 10 established in section 905.2, to the extent provided in section  
1 11 8D.13, subsection 14, an agency of the federal government, or a  
1 12 United States post office which receives a federal grant for  
1 13 pilot and demonstration projects.  
1 14 Sec. 2. Section 8D.3, subsection 3, paragraph i, Code 2011,  
1 15 is amended to read as follows:  
1 16 i. Evaluate existing and projected rates for use of the  
1 17 system and ensure that rates are sufficient to pay for the  
1 18 operation of the system excluding the cost of construction and  
1 19 lease costs for Parts I, II, and III. The commission shall  
1 20 establish all hourly rates to be charged to all authorized  
1 21 users for the use of the network and shall consider all costs  
1 22 of the network in establishing the rates. A fee established by  
1 23 the commission to be charged to a hospital licensed pursuant  
1 24 to chapter 135B, a physician clinic, a county, or the federal  
1 25 government shall be at an appropriate rate so that, at a  
1 26 minimum, there is no state subsidy related to the costs of the  
1 27 connection or use of the network related to such user.  
1 28 Sec. 3. Section 8D.13, subsection 2, paragraph c, Code 2011,  
1 29 is amended to read as follows:  
1 30 c. "Part III" means the communications connection between  
1 31 the secondary switching centers and the agencies defined in  
1 32 section 8D.2, subsections 4 and 5, excluding state agencies,  
1 33 institutions under the control of the board of regents,  
1 34 nonprofit institutions of higher education eligible for tuition  
1 35 grants, and the judicial branch, judicial district departments



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Senate File 97 - Introduced continued

2 1 of correctional services, hospitals and physician clinics,  
2 2 counties, agencies of the federal government, and post offices.  
2 3 Sec. 4. Section 8D.13, subsection 15, Code 2011, is amended  
2 4 to read as follows:  
2 5 15. Access shall be offered to hospitals licensed pursuant  
2 6 to chapter 135B and physician clinics for diagnostic, clinical,  
2 7 consultative, data, and educational services for the purpose of  
2 8 developing a comprehensive, statewide telemedicine  
2 9 network~~;~~ to an agency of the federal government~~;~~ to a county  
2 10 strictly for purposes of transmitting information subject to  
2 11 the confidentiality or privacy of personal information or  
2 12 medical record provisions of the federal Health Insurance  
2 13 Portability and Accountability Act of 1996, Pub. L. No.  
2 14 104=191; and to a post office defined as a public agency  
2 15 pursuant to section 8D.2, subsection 5. A hospital, physician  
2 16 clinic, an agency of the federal government, a county, or a  
2 17 post office defined as a public agency pursuant to section  
2 18 8D.2, subsection 5, shall be responsible for all costs  
2 19 associated with becoming a part of the network.

2 20 EXPLANATION

2 21 This bill expands the definition of a "public agency",  
2 22 which is authorized to access the Iowa communications network,  
2 23 to include counties under specified circumstances. The  
2 24 bill provides that a county may access the network strictly  
2 25 for purposes of transmitting information subject to the  
2 26 confidentiality or privacy of personal information or medical  
2 27 record provisions of the federal Health Insurance Portability  
2 28 and Accountability Act of 1996. The bill provides that  
2 29 counties shall be responsible for all costs associated with  
2 30 becoming a part of the network.

LSB 1891XS (3) 84

rn/nh



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**Senate File 98 - Introduced**

SENATE FILE  
BY HANCOCK

**A BILL FOR**

1 An Act relating to the duty of a county to provide emergency  
2 medical service and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1062XS (22) 84  
md/sc





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Senate File 98 - Introduced continued

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1 1 Section 1. Section 331.385, subsection 1, Code 2011, is  
1 2 amended to read as follows:  
1 3 1. A county may, by resolution, assume the exercise of  
1 4 the powers and duties of township trustees relating to fire  
1 5 protection service ~~and emergency medical service~~ for any  
1 6 township located in the unincorporated area of the county.  
1 7 Unless otherwise required to provide emergency medical service  
1 8 on a countywide basis under section 331.386, a county may, by  
1 9 resolution, assume the exercise of the powers and duties of  
1 10 township trustees relating to emergency medical service for any  
1 11 township located in the unincorporated area of the county.  
1 12 Sec. 2. NEW SECTION. 331.386 County duties relating to  
1 13 emergency medical service.  
1 14 1. As used in this section and section 331.387, unless the  
1 15 context otherwise requires:  
1 16 a. "Commission" means an emergency medical service  
1 17 commission established under section 331.387.  
1 18 b. "Special purpose district" means a chapter 28E agency  
1 19 authorized by law to provide emergency medical services, an  
1 20 emergency medical services district under chapter 357F, a city  
1 21 emergency medical services district under chapter 357G, or an  
1 22 emergency response district under chapter 357J.  
1 23 2. In lieu of the authority to provide emergency medical  
1 24 service under section 331.385, a county shall provide emergency  
1 25 medical service for all incorporated and unincorporated areas  
1 26 of the county, including areas located outside of the county  
1 27 if applicable under subsection 5, pursuant to this section and  
1 28 section 331.387 if any of the following occur:  
1 29 a. An area of the county is not currently receiving  
1 30 emergency medical service and a petition, resolution,  
1 31 ordinance, or other official action has not been filed,  
1 32 proposed, or enacted to provide such service to that area in  
1 33 the future.  
1 34 b. Except as provided in subsection 5, paragraph "b", each  
1 35 city located in whole or in part in the county, each township



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2 1 in the county, and the board enter into an agreement for the  
2 2 county to provide emergency medical service on a countywide  
2 3 basis.  
2 4 3. Each county required to provide emergency medical  
2 5 service under subsection 2 shall:  
2 6 a. Adopt a resolution stating the reason for providing  
2 7 emergency medical service.  
2 8 b. Establish a commission under section 331.387 as soon as  
2 9 practicable following adoption of the resolution required in  
2 10 paragraph "a".  
2 11 c. Provide emergency medical service in the county according  
2 12 to a transition plan proposed by the commission under section  
2 13 331.387 and adopted by the board. A transition plan adopted by  
2 14 the board shall not be in effect for more than two years.  
2 15 4. If a county provides emergency medical service under this  
2 16 section, no city, township, or other special purpose district  
2 17 located in the county shall provide emergency medical service  
2 18 except as allowed as part of a transition plan. Each city,  
2 19 township, and special purpose district that previously provided  
2 20 emergency medical service shall not be liable for the method,  
2 21 manner, or means by which the county provides emergency medical  
2 22 service.  
2 23 5. a. Except as provided in paragraph "b", a county that  
2 24 provides emergency medical service under this section shall  
2 25 also provide emergency medical service to the areas of a city  
2 26 located outside the boundaries of the county if an area of that  
2 27 city also lies within the boundaries of the county.  
2 28 b. Cities located in more than one county may opt out of  
2 29 compliance with the requirements of this section upon the  
2 30 approval of the city council and if all areas of that city are  
2 31 currently receiving emergency medical service by a different  
2 32 method authorized by law.  
2 33 6. All real and personal property used to provide emergency  
2 34 medical service to areas of the county by a township, city, or  
2 35 special purpose district shall be transferred to the county



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3 1 if required by the transition plan. The county shall, if  
3 2 required in the transition plan, assume all of the outstanding  
3 3 obligations of the cities, townships, and special purpose  
3 4 districts attributable to providing emergency medical service  
3 5 in the county. If a city, township, or other special purpose  
3 6 district provides emergency medical service by agreement  
3 7 outside of the county's boundaries, the county shall continue  
3 8 to provide emergency medical service to that area subject to  
3 9 the agreement for ninety days after adoption of the transition  
3 10 plan or until expiration of the emergency medical services  
3 11 agreement, whichever is later.

3 12 7. Nothing in this section or section 331.387 shall be  
3 13 construed to limit a county's authority to provide emergency  
3 14 medical service by agreement under chapter 28E.

3 15 8. A county providing emergency medical service under this  
3 16 section shall not impose any optional tax authorized under  
3 17 chapter 422D. A county ordinance imposing such an optional  
3 18 tax shall be repealed according to the requirements of chapter  
3 19 422D. Any remaining revenue in an emergency medical services  
3 20 trust fund under section 422D.6 shall then be transferred  
3 21 to the emergency medical service fund created under section  
3 22 331.424D.

3 23 9. If a county is providing emergency medical services  
3 24 under this section, the county shall continue to provide such  
3 25 services until an agreement is approved by each city and  
3 26 township in the county and by the board to provide and finance  
3 27 emergency medical service to all areas of the county by other  
3 28 methods authorized by law. Such an agreement shall include  
3 29 provisions for the distribution of personnel, equipment,  
3 30 assets, and obligations of the county to each city and township  
3 31 that is receiving emergency medical service from the county  
3 32 under this section.

3 33 Sec. 3. NEW SECTION. 331.387 County emergency medical  
3 34 service commission.

3 35 1. Each emergency medical service commission shall



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4 1 facilitate the delivery and funding of emergency medical  
4 2 service to residents of the county and may adopt the necessary  
4 3 rules and procedures or establish subcommittees for the  
4 4 implementation of this section and section 331.386.  
4 5 2. a. The commission shall consist of all of the following:  
4 6 (1) One member of the board.  
4 7 (2) The mayor from each city located in whole or in part  
4 8 within the county, except those cities that opt out under  
4 9 section 331.386, subsection 5.  
4 10 (3) Three residents of the county appointed by the board  
4 11 who possess operational and technical experience in providing  
4 12 emergency medical service. The term for each appointee under  
4 13 this subparagraph shall be two years, and each appointee may be  
4 14 reappointed without limitation.  
4 15 b. A member of the commission shall not appoint a designee  
4 16 to serve on the commission in the member's capacity.  
4 17 c. Members of the commission shall not receive compensation,  
4 18 but they shall be reimbursed for their actual and necessary  
4 19 expenses incurred in the performance of their official duties.  
4 20 3. Emergency medical services shall be paid from the  
4 21 emergency medical service fund under section 331.424D. The  
4 22 commission may purchase, own, rent, or maintain emergency  
4 23 medical service apparatus or equipment and provide housing  
4 24 for such equipment. The commission may employ and train  
4 25 emergency medical service personnel and other personnel and may  
4 26 perform all other acts necessary to carry out this section and  
4 27 section 331.386. If necessary, the commission shall plan and  
4 28 coordinate emergency medical service with the local emergency  
4 29 management commission and emergency management coordinator  
4 30 under chapter 29C and the joint E911 service board under  
4 31 chapter 34A.  
4 32 4. The commission may anticipate the collection of taxes  
4 33 authorized by section 331.424D and for such purposes direct  
4 34 the county board to issue bonds under sections 331.441 through  
4 35 331.449, relating to essential county purpose bonds, except



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5 1 that the bonds are payable only from tax levies on property  
5 2 subject to the levy under section 331.424D.  
5 3 5. Within sixty days after the commission is established,  
5 4 the commission shall submit a proposed transition plan to the  
5 5 board. The transition plan shall include all of the following:  
5 6 a. A list of all personnel, equipment, facilities, and  
5 7 other available resources that may be utilized by the county  
5 8 to provide emergency medical service, including a list  
5 9 of additional personnel, equipment, facilities, and other  
5 10 resources that are needed to provide emergency medical service.  
5 11 The transition plan shall also include any necessary procedures  
5 12 for the transfer of current city, township, and special purpose  
5 13 district personnel, equipment, and resources to the county.  
5 14 b. Financial information, including lists of assets and  
5 15 obligations of the cities, townships, and special purpose  
5 16 districts that are currently providing emergency medical  
5 17 service in the county.  
5 18 c. Procedures and a schedule for the transition of  
5 19 delivery and funding of emergency medical service, including  
5 20 the dissolution, modification, or termination of any special  
5 21 purpose districts or contracts that provide emergency medical  
5 22 service within the county. The transition plan shall also  
5 23 recommend procedures and a schedule for the discontinuance of  
5 24 any optional tax imposed by the county under chapter 422D.  
5 25 d. A structure for administration, management, and  
5 26 employment of emergency medical service personnel, equipment,  
5 27 facilities, and resources.  
5 28 e. Other transition provisions deemed relevant by the  
5 29 commission.  
5 30 6. The board may amend the proposed transition plan prior  
5 31 to adoption, but if a transition plan is not adopted by the  
5 32 board within thirty days of submission, the transition plan  
5 33 as submitted by the commission shall be deemed to have been  
5 34 adopted by the board.  
5 35 7. By January 15 of each year, the commission shall



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6 1 determine and submit annually to the board a proposed emergency  
6 2 medical service budget.

6 3 Sec. 4. NEW SECTION. 331.424D Emergency medical service  
6 4 fund == property tax levy.

6 5 1. A county that is providing emergency medical service  
6 6 pursuant to sections 331.386 and 331.387 shall establish an  
6 7 emergency medical service fund and may certify taxes for levy  
6 8 in the county not to exceed eighty cents per thousand dollars  
6 9 of the assessed value of all taxable property located in the  
6 10 county, except property located in a city that has opted out  
6 11 under section 331.386, subsection 5. The tax shall be set to  
6 12 raise only the amount needed.

6 13 2. If the levy authorized under subsection 1 is insufficient  
6 14 to provide the services required under sections 331.386 and  
6 15 331.387, the board may levy an additional annual tax not  
6 16 exceeding twenty cents per thousand dollars of assessed value  
6 17 of the taxable property that is subject to the tax under  
6 18 subsection 1.

6 19 3. Of the levy authorized under subsections 1 and 2, the  
6 20 board may credit to a reserve account annually an amount not  
6 21 to exceed thirty cents per thousand dollars of the assessed  
6 22 value of the taxable property in the county for the purchase  
6 23 or replacement of supplies and equipment required to carry  
6 24 out the services specified in sections 331.386 and 331.387.  
6 25 Notwithstanding section 12C.7, interest earned on moneys  
6 26 credited to the reserve account shall be credited to the  
6 27 reserve account.

6 28 Sec. 5. Section 357F.12, Code 2011, is amended to read as  
6 29 follows:

6 30 357F.12 Dissolution of district.

6 31 1. ~~Upon~~ Except as provided under subsection 2, upon petition  
6 32 of thirty=five percent of the resident eligible electors, the  
6 33 board may dissolve a district and dispose of any remaining  
6 34 property, the proceeds of which shall first be applied against  
6 35 outstanding obligations and any balance shall be applied to



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7 1 tax credit of property owners of the district. However, if  
7 2 the district is annexed, the board of supervisors may transfer  
7 3 the remaining property and balance to the city which annexed  
7 4 the territory. The board shall continue to levy a tax after  
7 5 dissolution of a district, of not to exceed twenty=seven cents  
7 6 per thousand dollars of assessed value on all the taxable  
7 7 property of the district, until all outstanding obligations of  
7 8 the district are paid.  
7 9 2. The board shall dissolve or modify a district if required  
7 10 by a transition plan adopted pursuant to sections 331.386 and  
7 11 331.387.  
7 12 Sec. 6. Section 357G.12, Code 2011, is amended to read as  
7 13 follows:  
7 14 357G.12 Dissolution of district.  
7 15 1. ~~Upon~~ Except as provided under subsection 2, upon petition  
7 16 of thirty=five percent of the resident eligible electors, the  
7 17 council may dissolve a district and dispose of any remaining  
7 18 property, the proceeds of which shall first be applied against  
7 19 outstanding obligations and any balance shall be applied to tax  
7 20 credit of property owners of the district. The council shall  
7 21 continue to levy a tax after dissolution of a district, of not  
7 22 to exceed twenty=seven cents per thousand dollars of assessed  
7 23 value on all the taxable property of the district, until all  
7 24 outstanding obligations of the district are paid.  
7 25 2. The council shall dissolve or modify a district if  
7 26 required by a transition plan adopted pursuant to sections  
7 27 331.386 and 331.387.  
7 28 Sec. 7. Section 357J.7, Code 2011, is amended by adding the  
7 29 following new subsection:  
7 30 NEW SUBSECTION. 4. Notwithstanding the plan for  
7 31 dissolution of the district approved under section 357J.6, the  
7 32 board shall dissolve or modify a district if required by a  
7 33 transition plan pursuant to sections 331.386 and 331.387.  
7 34 Sec. 8. Section 359.42, Code 2011, is amended to read as  
7 35 follows:



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8 1 359.42 Township fire protection service, emergency warning  
8 2 system, and emergency medical service.  
8 3 Except as otherwise provided in section 331.385, the  
8 4 trustees of each township shall provide fire protection service  
8 5 for the township, exclusive of any part of the township within  
8 6 a benefited fire district and may provide emergency medical  
8 7 service unless prohibited under section 331.386. The trustees  
8 8 may purchase, own, rent, or maintain fire protection service  
8 9 or emergency medical service apparatus or equipment or both  
8 10 kinds of apparatus or equipment and provide housing for the  
8 11 equipment. The trustees of a township which is located within  
8 12 a county having a population of three hundred thousand or  
8 13 more may also establish and maintain an emergency warning  
8 14 system within the township. The trustees may contract with a  
8 15 public or private agency under chapter 28E for the purpose of  
8 16 providing any service or system required or authorized under  
8 17 this section.

8 18 Sec. 9. EFFECTIVE DATE. This Act takes effect January 1,  
8 19 2012.

8 20 EXPLANATION

8 21 Under current Code section 331.385, a county may, by  
8 22 resolution, assume the exercise of the powers of township  
8 23 trustees relating to emergency medical service for any township  
8 24 located in the unincorporated area of the county. This bill  
8 25 requires a county to provide emergency medical service for all  
8 26 incorporated and unincorporated areas of the county if either  
8 27 (1) an area of the county is not currently provided emergency  
8 28 medical service and a petition, resolution, ordinance, or  
8 29 other official action has not been filed, proposed, or enacted  
8 30 to provide such service to that area in the future, or (2)  
8 31 each city located in whole or in part in the county, except  
8 32 those cities that opt out under the bill, each township in the  
8 33 county, and the board of supervisors enter into an agreement  
8 34 for the county to provide emergency medical service on a  
8 35 countywide basis.





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9 1 The bill specifies the procedures for each county  
9 2 required to provide emergency medical service, including the  
9 3 establishment of an emergency medical service commission  
9 4 consisting of one member of the board of supervisors, the  
9 5 mayor from each city located in whole or in part within the  
9 6 county, except those cities that opt out, and three residents  
9 7 of the county appointed by the board of supervisors who possess  
9 8 operational and technical experience in providing emergency  
9 9 medical service. The emergency medical service commission is  
9 10 responsible for submitting a transition plan to the board of  
9 11 supervisors for approval. A transition plan is required to  
9 12 include specified information relating to personnel, equipment,  
9 13 facilities, and other available resources that may be utilized  
9 14 or that may be needed by the county to provide emergency  
9 15 medical service, any necessary procedures for the transfer of  
9 16 current city, township, and special purpose district personnel,  
9 17 equipment, and resources to the county, financial information,  
9 18 including lists of assets and obligations of the cities,  
9 19 townships, and special purpose districts that are currently  
9 20 providing emergency medical service in the county, procedures  
9 21 and a schedule for the transition of delivery and funding of  
9 22 emergency medical service, a structure for administration,  
9 23 management, and employment of emergency medical service  
9 24 personnel, equipment, facilities, and resources, and other  
9 25 transition provisions deemed relevant by the commission.  
9 26 The commission is required to facilitate the delivery and  
9 27 funding of emergency medical service to residents of the county  
9 28 and is authorized to purchase, own, rent, or maintain emergency  
9 29 medical service apparatus or equipment and provide housing  
9 30 for such equipment. The commission may also employ and train  
9 31 emergency medical service personnel and other personnel, and  
9 32 may perform all other acts necessary to carry out its duties.  
9 33 By January 15 of each year, the commission shall submit  
9 34 annually to the board of supervisors a proposed emergency  
9 35 medical service budget. The commission may anticipate the



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10 1 collection of taxes authorized by new Code section 331.424D  
10 2 and for such purposes direct the county board of supervisors  
10 3 to issue bonds that are payable only from tax levies under new  
10 4 Code section 331.424D.  
10 5 If a county provides emergency medical service under the  
10 6 bill, no city, township, or other special purpose district  
10 7 located in the county shall provide emergency medical service  
10 8 except as allowed as part of a transition plan. Cities located  
10 9 in more than one county may opt out of compliance with the bill  
10 10 upon the approval of the city council and if all areas of that  
10 11 city are currently receiving emergency medical service by a  
10 12 different method authorized by law.  
10 13 The bill requires real and personal property used to provide  
10 14 emergency medical service to areas of the county by a township,  
10 15 city, or special purpose district to be transferred to the  
10 16 county, if required by the transition plan, and requires the  
10 17 county to assume all of the outstanding obligations of the  
10 18 cities, townships, and special purpose districts attributable  
10 19 to providing emergency medical service in the county, if  
10 20 required by the transition plan. A county providing emergency  
10 21 medical service under the bill is prohibited from imposing any  
10 22 optional tax authorized under Code chapter 422D.  
10 23 A county providing emergency medical services under the bill  
10 24 shall continue to provide such services until an agreement is  
10 25 approved by each city and township in the county and by the  
10 26 board of supervisors to provide and finance emergency medical  
10 27 service to all areas of the county by other methods authorized  
10 28 by law.  
10 29 The bill authorizes a county that is providing emergency  
10 30 medical service under new Code sections 331.386 and 331.387 to  
10 31 establish an emergency medical service fund and may certify  
10 32 taxes for levy in the county not to exceed 80 cents per \$1,000  
10 33 of the assessed value of all taxable property located in the  
10 34 county, except the property located in a city that has opted  
10 35 out. If such levy is insufficient to provide the services



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11 1 needed, the board of supervisors may levy an additional annual  
11 2 tax not exceeding 20 cents per \$1,000 of assessed value. Of  
11 3 the total amount levied, the board of supervisors may credit  
11 4 to a reserve account annually an amount not to exceed 30 cents  
11 5 per \$1,000 of the assessed value of the taxable property in  
11 6 the county for the purchase or replacement of supplies and  
11 7 equipment required to carry out the requirements of the bill.  
11 8     The bill also includes provisions relating to the  
11 9 dissolution, modification, or termination of certain special  
11 10 purpose districts, as defined in the bill, optional taxes, and  
11 11 contracts previously used to provide emergency medical service  
11 12 within the county.  
11 13     The bill takes effect January 1, 2012.  
LSB 1062XS (22) 84  
md/sc



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**Senate File 99 - Introduced**

SENATE FILE  
BY BOLKCOM

**A BILL FOR**

1 An Act establishing a solar energy rebate program and fund, and  
2 making an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1790XS (3) 84  
rn/nh



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1 1 Section 1. NEW SECTION. 469.12 Solar energy rebate program.  
1 2 1. The office shall establish a solar energy rebate program.  
1 3 The purpose of the program is to offer financial incentives to  
1 4 encourage the installation of solar thermal and photovoltaic  
1 5 solar energy systems in the commercial, agricultural, and  
1 6 residential sectors.  
1 7 2. Sixty percent of the moneys deposited in the solar  
1 8 energy rebate program fund pursuant to section 469.13 shall be  
1 9 allocated for the awarding of rebates to qualifying commercial  
1 10 or agricultural applicants, and forty percent of such moneys  
1 11 shall be allocated for awards to qualifying residential  
1 12 applicants. A rebate may be received for up to thirty percent  
1 13 of the costs of installation, subject to a maximum award of  
1 14 fifteen thousand dollars for a commercial or agricultural  
1 15 installation and three thousand dollars for a residential  
1 16 installation. The amount of a rebate for which an applicant  
1 17 may be eligible shall be reduced by the amount of any similar  
1 18 rebate or incentive for the development of alternate or  
1 19 renewable energy awarded by the applicant's electric utility  
1 20 for the same installation.  
1 21 3. Eligibility criteria for the program shall include the  
1 22 following:  
1 23 a. An applicant shall complete and submit an energy audit  
1 24 conducted either by or on behalf of the applicant's electric  
1 25 utility or through a private energy audit service.  
1 26 b. The solar thermal or photovoltaic system must qualify  
1 27 for the energy star efficiency rating developed by the United  
1 28 States environmental protection agency.  
1 29 c. The installation must be performed by a licensed or  
1 30 certified installer qualified to install solar energy systems  
1 31 and equipment, and must meet or exceed all applicable local  
1 32 building codes and ordinances.  
1 33 d. An applicant must meet eligibility criteria for the  
1 34 awarding of any similar rebate or incentive for the development  
1 35 of alternate or renewable energy offered by the applicant's



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2 1 electric utility, if applicable.  
2 2 4. Application forms and additional approval criteria shall  
2 3 be established by the office by rule.  
2 4 Sec. 2. NEW SECTION. 469.13 Solar energy rebate program ====  
2 5 fund established ==== appropriation.  
2 6 1. A solar energy rebate program fund is created in the  
2 7 state treasury to be administered by the office. Moneys  
2 8 deposited in or appropriated to the fund shall be used to  
2 9 administer the solar energy rebate program and award rebates  
2 10 pursuant to section 469.12.  
2 11 2. There is annually appropriated from the general fund  
2 12 of the state to the office the sum of ten million dollars for  
2 13 deposit into the fund to administer the solar energy rebate  
2 14 program. Notwithstanding section 8.33, moneys appropriated in  
2 15 this section that remain unencumbered or unobligated at the  
2 16 close of the fiscal year shall not revert but shall remain  
2 17 available for expenditure for the purposes designated until the  
2 18 close of the succeeding fiscal year.  
2 19 EXPLANATION  
2 20 This bill establishes a solar energy rebate program  
2 21 administered by the office of energy independence to encourage  
2 22 the installation of solar thermal and photovoltaic solar energy  
2 23 systems in the commercial, agricultural, and residential  
2 24 sectors.  
2 25 The bill provides that moneys appropriated for the program  
2 26 shall be allocated on the basis of 60 percent for rebates  
2 27 to qualifying commercial or agricultural applicants, and 40  
2 28 percent to qualifying residential applicants. The bill states  
2 29 that an applicant may receive a rebate for up to 30 percent  
2 30 of system installation costs, subject to a maximum award of  
2 31 \$15,000 for a commercial or agricultural installation and  
2 32 \$3,000 for a residential installation, but reduced by the  
2 33 amount of any similar rebate or incentive for the development  
2 34 of alternate or renewable energy awarded by the applicant's  
2 35 electric utility for the same installation.



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Senate File 99 - Introduced continued

3 1 To be eligible for a rebate, the bill states an applicant  
3 2 shall complete and submit an energy audit, the installation  
3 3 must qualify for the energy star efficiency rating developed  
3 4 by the United States environmental protection agency, the  
3 5 installation must be performed by a licensed or certified  
3 6 installer qualified to install solar energy systems and  
3 7 equipment and meet or exceed all applicable local building  
3 8 codes and ordinances, and an applicant must meet eligibility  
3 9 criteria for the awarding of any similar rebate or incentive  
3 10 for the development of alternate or renewable energy offered  
3 11 by the applicant's electric utility, if applicable. The  
3 12 bill provides that application forms and additional approval  
3 13 criteria shall be established by the office by rule.  
3 14 The bill establishes a solar energy rebate program fund  
3 15 in the state treasury under the control of the office, and  
3 16 appropriates \$10 million annually from the general fund of the  
3 17 state for deposit into the fund to administer the program and  
3 18 award rebates. The bill provides that amounts so appropriated  
3 19 remaining unencumbered or unobligated at the close of the  
3 20 fiscal year shall not revert but shall remain available for  
3 21 expenditure for the purposes designated until the close of the  
3 22 succeeding fiscal year.

LSB 1790XS (3) 84

rn/nh



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## Senate Joint Resolution 9 - Introduced

SENATE JOINT RESOLUTION  
BY FEENSTRA, HAHN, ZAUN,  
JOHNSON, and BOETTGER

### SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution  
2 of the State of Iowa to provide home rule for school  
3 districts.  
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1761XS (4) 84  
kh/rj





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Senate Joint Resolution 9 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of  
1 2 the State of Iowa is hereby proposed:

1 3 Article III, legislative department, Constitution of the  
1 4 State of Iowa, is hereby amended by adding the following new  
1 5 section:

1 6 School district home rule.SEC. 39B. School districts are  
1 7 granted home rule power and authority, not inconsistent with  
1 8 the laws of the general assembly, to determine their local  
1 9 affairs and government, except that they shall not have power  
1 10 to levy any tax unless expressly authorized by the general  
1 11 assembly.

1 12 If the power or authority of a school district conflicts  
1 13 with the power and authority of a municipal corporation,  
1 14 county, or joint county=municipal corporation, the power and  
1 15 authority exercised by a municipal corporation, county, or  
1 16 joint county=municipal corporation shall prevail within its  
1 17 jurisdiction.

1 18 The rule or proposition of law that a school district  
1 19 possesses and can exercise only those powers granted in express  
1 20 words is not a part of the law of this state.

1 21 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
1 22 amendment to the Constitution of the State of Iowa is hereby  
1 23 referred to the general assembly to be chosen at the next  
1 24 general election for members of the general assembly, and  
1 25 the secretary of state is directed to cause the same to be  
1 26 published for three consecutive months previous to the date of  
1 27 said election as provided by law.

1 28 EXPLANATION

1 29 This joint resolution proposes an amendment to the  
1 30 Constitution of the State of Iowa to provide home rule  
1 31 powers and authority for school districts. The home rule  
1 32 powers cannot be inconsistent with state law and the power  
1 33 to tax is limited to those taxes expressly authorized by the  
1 34 general assembly. If the power or authority of a school  
1 35 district conflicts with the power and authority of a municipal



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Senate Joint Resolution 9 - Introduced continued

2 1 corporation, county, or joint county=municipal corporation,  
2 2 the power and authority exercised by a municipal corporation,  
2 3 county, or joint county=municipal corporation shall prevail  
2 4 within its jurisdiction.  
2 5 The resolution, if adopted, would be referred to the next  
2 6 general assembly before being submitted to the electorate for  
2 7 ratification.

LSB 1761XS (4) 84

kh/rj



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Senate Resolution 4 - Introduced

PAG LIN

SENATE RESOLUTION NO.

BY COMMITTEE ON ETHICS

1 1 A Resolution relating to the Senate Rules Governing  
1 2 Lobbyists and their interactions with the Senate  
1 3 and members of the Senate during the Eighty=fourth  
1 4 General Assembly.

1 5 BE IT RESOLVED BY THE SENATE, That the Senate Rules  
1 6 Governing Lobbyists for the ~~Eighty-third~~ Eighty=fourth  
1 7 General Assembly shall be as follows:

1 8 SENATE RULES GOVERNING LOBBYISTS

1 9 1. DEFINITIONS. As used in these rules, "client",  
1 10 "gift", "honoraria" or "honorarium", "immediate family  
1 11 member", and "lobbyist" have the meaning provided  
1 12 in chapter 68B. As used in these rules, the term  
1 13 "political action committee" means a committee, but not  
1 14 a candidate's committee, which accepts contributions,  
1 15 makes expenditures, or incurs indebtedness in the  
1 16 aggregate of more than seven hundred fifty dollars  
1 17 in any one calendar year to expressly advocate the  
1 18 nomination, election, or defeat of a candidate for  
1 19 public office or to expressly advocate the passage or  
1 20 defeat of a ballot issue or influencing legislative  
1 21 action, or an association, lodge, society, cooperative,  
1 22 union, fraternity, sorority, educational institution,  
1 23 civic organization, labor organization, religious  
1 24 organization, or professional or other organization  
1 25 which makes contributions in the aggregate of more than  
1 26 seven hundred fifty dollars in any one calendar year  
1 27 to expressly advocate the nomination, election, or



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Senate Resolution 4 - Introduced continued

2 1 defeat of a candidate for public office or to expressly  
2 2 advocate the passage or defeat of a ballot issue or  
2 3 influencing legislative action.  
2 4 2. APPLICABILITY. These rules are only applicable  
2 5 to lobbying activities involving the Iowa general  
2 6 assembly.  
2 7 3. REGISTRATION REQUIRED. All lobbyists shall,  
2 8 on or before the day their lobbying activity begins,  
2 9 register in the manner provided under section 68B.36  
2 10 by filing a completed lobbyist's registration form  
2 11 with the person or persons designated by the chief  
2 12 clerk of the house and the secretary of the senate to  
2 13 receive lobbyist registration statements. Lobbyist  
2 14 registration forms shall be available in the office  
2 15 of the chief clerk of the house and the secretary of  
2 16 the senate. In addition, the lobbyist shall file with  
2 17 the secretary of the senate a statement of the general  
2 18 subjects of legislation in which the lobbyist is or may  
2 19 be interested, the numbers of the bills and resolutions  
2 20 and the bill number of study bills (if known) which  
2 21 will be lobbied, whether the lobbyist intends to lobby  
2 22 for or against each bill, resolution, or study bill (if  
2 23 known), and on whose behalf the lobbyist is lobbying  
2 24 the bill, resolution, or study bill.  
2 25 Any change in or addition to the foregoing  
2 26 information shall be registered with the person or  
2 27 persons designated by the chief clerk of the house  
2 28 and the secretary of the senate to receive lobbyist  
2 29 registration statements within ten days after the  
2 30 change or addition is known to the lobbyist.



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Senate Resolution 4 - Introduced continued

3 1 Registration expires upon the commencement of  
3 2 the next regular session of the general assembly,  
3 3 except that the secretary of the senate may adopt and  
3 4 implement a reasonable preregistration procedure in  
3 5 advance of each regular session during which persons  
3 6 may register for that session and the following  
3 7 legislative interim.  
3 8 4. CANCELLATION OF REGISTRATION. If a lobbyist's  
3 9 service on behalf of a particular employer, client, or  
3 10 cause is concluded prior to the end of the calendar  
3 11 year, the lobbyist may cancel the registration on  
3 12 appropriate forms supplied by the secretary of the  
3 13 senate. Upon cancellation of registration, a lobbyist  
3 14 is prohibited from engaging in any lobbying activity on  
3 15 behalf of that particular employer, client, or cause  
3 16 until reregistering and complying with these rules. A  
3 17 lobbyist's registration is valid for only one session  
3 18 of a general assembly.  
3 19 5. AMENDMENT OF REGISTRATION. If a registered  
3 20 lobbyist represents more than one employer, client,  
3 21 or cause and the lobbyist's services are concluded  
3 22 on behalf of a particular employer, client, or cause  
3 23 after the lobbyist registers but before the first day  
3 24 of the next legislative session, the lobbyist shall  
3 25 file an amendment to the lobbyist's registration  
3 26 indicating which employer, client, or cause is no  
3 27 longer represented by the lobbyist and the date upon  
3 28 which the representation concluded.  
3 29 If a lobbyist is retained by one or more additional  
3 30 employers, clients, or causes after the lobbyist



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Senate Resolution 4 - Introduced continued

4 1 registers but before the first day of the next  
4 2 legislative session, the lobbyist shall file an  
4 3 amendment to the lobbyist's registration indicating the  
4 4 employer, client, or cause to be added and the date  
4 5 upon which the representation begins.  
4 6 Amendments to a lobbyist's registration regarding  
4 7 changes which occur during the time that the general  
4 8 assembly is in session shall be filed within one  
4 9 working day after the date upon which the change in the  
4 10 lobbyist's representation becomes effective.  
4 11 6. PUBLIC ACCESS. All information filed by a  
4 12 lobbyist or a client of a lobbyist under chapter 68B  
4 13 of the Code is a public record and open to public  
4 14 inspection at any reasonable time.  
4 15 7. LOBBYIST AND CLIENT REPORTING. Each lobbyist  
~~4 16 registered with the senate and each lobbyist's client~~  
4 17 shall file the reports required under ~~sections 68B.37~~  
~~4 18 and section 68B.38~~ with the secretary of the senate.  
4 19 For purposes of this rule, and the ~~reports report~~  
4 20 required under ~~sections 68B.37 and section 68B.38,~~  
4 21 ~~"services enumerated under section 68B.2, subsection~~  
~~4 22 13, paragraph "a" and "lobbying purposes" include,~~ but  
4 23 are not limited to, the following:  
4 24 a. Time spent by the lobbyist at the state capitol  
4 25 building commencing with the first day of a legislative  
4 26 session and ending with the day of final adjournment of  
4 27 each legislative session as indicated by the journals  
4 28 of the house and senate.  
4 29 b. Time spent by the lobbyist attending meetings or  
4 30 hearings which results in the lobbyist communicating



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Senate Resolution 4 - Introduced continued

5 1 with members of the general assembly or legislative  
5 2 employees about current or proposed legislation.  
5 3 c. Time spent by the lobbyist researching and  
5 4 drafting proposed legislation with the intent to submit  
5 5 the legislation to a member of the general assembly or  
5 6 a legislative employee.  
5 7 d. Time spent by the lobbyist actually  
5 8 communicating with members of the general assembly  
5 9 and legislative employees about current or proposed  
5 10 legislation.  
5 11 ~~7A.~~ 8. ELECTRONIC FILING. A lobbyist or client  
5 12 of a lobbyist required to file information with the  
5 13 secretary of the senate pursuant to rules 3, 4, 5,  
5 14 and 7 is ~~encouraged~~ required to make such filings in  
5 15 an electronic format as directed by the secretary of  
5 16 the senate. ~~The committee on ethics may direct the~~  
~~5 17 secretary of the senate to mandate electronic filing~~  
~~5 18 requirements for lobbyists and clients of lobbyists~~  
~~5 19 beginning for the 2010 legislative session.~~  
5 20 8. 9. GOVERNMENT OFFICIALS. All federal, state,  
~~5 21 and local officials or employees representing their~~  
~~5 22 departments, commissions, boards, or agencies shall~~  
~~5 23 present to the secretary of the senate a letter of~~  
~~5 24 authorization from their department or agency heads~~  
~~5 25 prior to the commencement of their lobbying. The~~  
~~5 26 lobbyist registration statement of these officials~~  
~~5 27 and employees shall not be deemed complete until the~~  
~~5 28 letter of authorization is attached.~~ Federal, state,  
5 29 and local officials who wish to lobby in opposition to  
5 30 their departments, commissions, boards, or agencies



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Senate Resolution 4 - Introduced continued

6 1 must indicate such on their lobbyist registration  
6 2 statements.  
6 3 ~~9.~~ 10. CHARGE ACCOUNTS AND LOANS. Lobbyists and  
6 4 the organizations they represent shall not allow any  
6 5 senators to charge any amounts or items to any charge  
6 6 account to be paid for by those lobbyists or by the  
6 7 organizations they represent. A lobbyist shall not  
6 8 make a loan to a senator unless the loan is made in the  
6 9 ordinary course of business, the lobbyist is in the  
6 10 business of making loans, and the terms and conditions  
6 11 of the loan are the same or substantially similar to  
6 12 the finance charges and loan terms that are available  
6 13 to members of the general public.  
6 14 ~~10.~~ 11. OFFERS OF ECONOMIC OPPORTUNITY. A  
6 15 lobbyist, an employer of a lobbyist, or a political  
6 16 action committee shall not offer economic or investment  
6 17 opportunity or promise of employment to any senator  
6 18 with intent to influence the senator's conduct in the  
6 19 performance of official duties.  
6 20 A lobbyist shall not take action intended to  
6 21 negatively affect the economic interests of a senator.  
6 22 For purposes of this rule, supporting or opposing a  
6 23 candidate for office or supporting or opposing a bill,  
6 24 amendment, or resolution shall not be considered to  
6 25 be action intended to negatively affect the economic  
6 26 interests of a senator.  
6 27 ~~11.~~ 12. MEMBERSHIP CONTRIBUTIONS. A lobbyist, or  
6 28 employer of a lobbyist, shall not pay for membership in  
6 29 or contributions to clubs or organizations on behalf  
6 30 of a senator.





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Senate Resolution 4 - Introduced continued

7 1 ~~12.~~ 13. ACCESS TO SENATE FLOOR. Lobbyists shall  
7 2 not be permitted on the floor of the senate while the  
7 3 senate is in session. Elected state officials, except  
7 4 the governor, lieutenant governor, and the members of  
7 5 the house of representatives, shall not be permitted on  
7 6 the floor of the senate while the senate is in session  
7 7 to encourage the passage, defeat, or modification of  
7 8 legislation.  
7 9 ~~13.~~ 14. EFFECTIVE PERIOD. These rules governing  
7 10 lobbyists shall be in effect throughout the calendar  
7 11 year, whether or not the general assembly is in  
7 12 session.  
7 13 ~~14.~~ 15. GIFTS. A lobbyist or the client of a  
7 14 lobbyist shall not, directly or indirectly, offer or  
7 15 make a gift or a series of gifts to a senator, except  
7 16 as otherwise provided in section 68B.22.  
7 17 ~~15.~~ 16. HONORARIA. A lobbyist or client of a  
7 18 lobbyist shall not give an honorarium to a member or  
7 19 employee of the senate, except as otherwise provided in  
7 20 section 68B.23.  
7 21 ~~16.~~ 17. COMPLAINTS. Rules 15 through ~~23~~ 25 of  
7 22 the senate code of ethics apply to complaints and  
7 23 procedures regarding violations of these rules.

LSB 1356SV (4) 84

tm/rj



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## Senate Study Bill 1055

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON FRAISE)

### A BILL FOR

1 An Act making certain synthetic cannabinoids schedule I  
2 controlled substances, providing penalties, and including  
3 effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2028SC (2) 84  
jm/nh



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Senate Study Bill 1055 continued

PAG LIN

1 1 Section 1. Section 124.204, subsection 4, Code 2011, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. ai. Any substance, compound, mixture,  
1 4 or preparation which contains any quantity of any synthetic  
1 5 cannabinoid that is not approved as a pharmaceutical, including  
1 6 but not limited to the following:  
1 7 (1) CP 47, 497 and homologues 2=[(1R, 3S)=3=  
1 8 hydroxycyclohexyl]=5=(2-methyloctan=2=yl)phenol) .  
1 9 (2) HU=210[(6aR,10aR)=9=(hydroxymethyl)=6,6=dimethyl=3=  
1 10 (2-methyloctan=2=yl)=6a,7,10,10a=tetrahydrobenzo[c]  
1 11 chromen=1=ol)].  
1 12 (3) HU=211(dexanabinol, (6aS,10aS)=9=(hydroxymethyl)=6,6=  
1 13 dimethyl=3=(2-methyloctan=2=yl)=6a,7,10,10a=tetrahydrobenzo[c]  
1 14 chromen=1=ol).  
1 15 (4) JWH=018 1=Pentyl=3=(1=naphthoyl)indole.  
1 16 (5) JWH=073 1=Butyl=3=(1=naphthoyl)indole.  
1 17 (6) JWH=200 [1=[2=(4=morpholinyl)ethyl]=1H=indol=3=yl]=1=  
1 18 naphthalenyl=methanone.  
1 19 Sec. 2. Section 124.401, subsection 1, paragraph c,  
1 20 subparagraph (8), Code 2011, is amended to read as follows:  
1 21 (8) Any other controlled substance, counterfeit substance,  
1 22 or simulated controlled substance classified in schedule I, II,  
1 23 or III, except as provided in paragraph "d".  
1 24 Sec. 3. Section 124.401, subsection 1, paragraph d, Code  
1 25 2011, is amended to read as follows:  
1 26 d. Violation of this subsection, with respect to any other  
1 27 controlled substances, counterfeit substances, or simulated  
1 28 controlled substances classified in section 124.204, subsection  
1 29 4, paragraph "ai", or in schedule IV, or V is an aggravated  
1 30 misdemeanor. However, violation of this subsection involving  
1 31 fifty kilograms or less of marijuana or involving flunitrazepam  
1 32 is a class "D" felony.  
1 33 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
1 34 immediate importance, takes effect upon enactment.  
1 35

EXPLANATION



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Senate Study Bill 1055 continued

2 1 This bill adds certain synthetic cannabinoids to the list of  
2 2 schedule I controlled substances.

2 3 The bill adds certain synthetic cannabinoids, also known  
2 4 as "K2", to the list of schedule I controlled substances in  
2 5 addition to the tetrahydrocannabinols and synthetic equivalents  
2 6 listed in schedule I under Code section 124.204(4)(u).

2 7 A schedule I controlled substance is considered to have a  
2 8 high potential for abuse and no medical purpose in treatment in  
2 9 the United States.

2 10 The bill makes it an aggravated misdemeanor pursuant to  
2 11 Code section 124.401, subsection 1, paragraph "d", for any  
2 12 unauthorized person to manufacture, deliver, or possess with  
2 13 the intent to manufacture or deliver, a synthetic cannabinoid,  
2 14 including its counterfeit or a simulated form, or to act with,  
2 15 enter into a common scheme or design with, or conspire with one  
2 16 or more other persons to manufacture, deliver, or possess with  
2 17 the intent to manufacture or deliver a synthetic cannabinoid.

2 18 The bill also makes it a serious misdemeanor pursuant to Code  
2 19 section 124.401, subsection 5, for any unauthorized person to  
2 20 possess a synthetic cannabinoid.

2 21 An aggravated misdemeanor is punishable by confinement for  
2 22 no more than two years and a fine of at least \$625 but not  
2 23 more than \$6,250. A serious misdemeanor is punishable by  
2 24 confinement for no more than one year and a fine of at least  
2 25 \$315 but not more than \$1,875.

2 26 The bill takes effect upon enactment.

LSB 2028SC (2) 84

jm/nh



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**Senate Study Bill 1056**

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON FRAISE)

**A BILL FOR**

1 An Act relating to permits to carry weapons and annual permits  
2 to acquire pistols and revolvers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1849XC (5) 84  
rh/rj



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Senate Study Bill 1056 continued

PAG LIN

1 1 Section 1. Section 724.4C, Code 2011, is amended to read as  
1 2 follows:

1 3 ~~724.4C Possession or carrying of firearms while under the~~  
1 4 ~~influence Permit to carry === validity.~~

1 5 A permit issued under this chapter is invalid if the person  
1 6 to whom the permit is issued is or does any of the following:

1 7 1. ~~is~~ Is in an intoxicated condition as provided in section  
1 8 321J.2, subsection 1.

1 9 2. Enters an establishment where alcoholic liquor, wine, or  
1 10 beer is sold or consumed under authority of a liquor control  
1 11 license, wine permit, or beer permit.

1 12 Sec. 2. Section 724.9, subsection 2, unnumbered paragraph  
1 13 1, Code 2011, is amended to read as follows:

1 14 Evidence of qualification under ~~this section~~ subsection 1  
1 15 may be documented by any of the following:

1 16 Sec. 3. Section 724.9, Code 2011, is amended by adding the  
1 17 following new subsections:

1 18 NEW SUBSECTION. 2A. In addition to the firearm safety  
1 19 requirement in subsection 1, an applicant for a permit to  
1 20 carry weapons shall qualify on a firing range under the  
1 21 supervision of an instructor certified by the national rifle  
1 22 association or the department of public safety or another  
1 23 state's department of public safety, state police department,  
1 24 or similar certifying body.

1 25 NEW SUBSECTION. 2B. Firearm training courses offered  
1 26 through the internet do not satisfy the training requirements  
1 27 set forth in this section.

1 28 Sec. 4. Section 724.11, subsection 1, Code 2011, is amended  
1 29 to read as follows:

1 30 1. Applications for permits to carry weapons shall be made  
1 31 to the sheriff of the county in which the applicant resides.  
1 32 Applications for professional permits to carry weapons for  
1 33 persons who are nonresidents of the state, or whose need to  
1 34 go armed arises out of employment by the state, shall be made  
1 35 to the commissioner of public safety. In either case, the



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2 1 sheriff or commissioner, before issuing the permit, shall  
2 2 determine that the requirements of sections 724.6 to 724.10  
2 3 have been satisfied. ~~However, for~~ An applicant for renewal of  
2 4 a permit the shall also satisfy, within the twelve-month period  
2 5 prior to the expiration of the applicant's current permit, the  
2 6 training program and qualification requirements in section  
2 7 724.9, subsection 1, shall apply or the renewal applicant may  
~~2 8 choose to qualify on a firing range under the supervision of an~~  
~~2 9 instructor certified by the national rifle association or the~~  
~~2 10 department of public safety or another state's department of~~  
~~2 11 public safety, state police department, or similar certifying~~  
~~2 12 body. Such training or qualification must occur within the~~  
~~2 13 twelve-month period prior to the expiration of the applicant's~~  
~~2 14 current permit.~~

2 15 Sec. 5. Section 724.21A, subsection 4, Code 2011, is amended  
2 16 to read as follows:

2 17 4. Upon conclusion of the hearing, the administrative law  
2 18 judge shall order that the denial, suspension, or revocation of  
2 19 the permit be either rescinded or sustained. An unsuccessful  
2 20 applicant or permit holder shall pay the costs associated  
2 21 with the administrative appeal. An applicant, permit holder,  
2 22 or issuing officer aggrieved by the final judgment of the  
2 23 administrative law judge shall have the right to judicial  
2 24 review in accordance with the terms of the Iowa administrative  
2 25 procedure Act, chapter 17A.

2 26 EXPLANATION

2 27 This bill relates to permits to carry weapons and annual  
2 28 permits to acquire pistols and revolvers.

2 29 The bill provides that a permit to carry weapons issued under  
2 30 Code chapter 724 is invalid if the person to whom the permit is  
2 31 issued enters an establishment where alcoholic liquor, wine, or  
2 32 beer is sold and consumed under authority of a liquor control  
2 33 license, wine permit, or beer permit.

2 34 The bill amends current firearm training requirements an  
2 35 applicant for a permit to carry weapons must satisfy to be



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3 1 issued a permit to carry weapons under Code chapter 724 to  
3 2 include the requirement that such applicant qualify on a firing  
3 3 range under the supervision of an instructor certified by the  
3 4 national rifle association or the department of public safety  
3 5 or another state's department of public safety, state police  
3 6 department, or similar certifying body. This requirement  
3 7 applies to both new applicants and renewal applicants. The  
3 8 bill specifies that internet firearm training courses do not  
3 9 satisfy the firearm training requirements in Code section  
3 10 724.9.

3 11 The bill requires an unsuccessful applicant or permit holder  
3 12 who appeals a denial of an application for or the suspension or  
3 13 revocation of a permit to carry weapons or an annual permit to  
3 14 acquire pistols or revolvers to pay the costs associated with  
3 15 the administrative appeal.

LSB 1849XC (5) 84

rh/rj





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**Senate Study Bill 1057**

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON FRAISE)

**A BILL FOR**

1 An Act relating to the disposition of a child with mental  
2 illness or mental retardation in juvenile court.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1922SC (4) 84  
rh/nh



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Senate Study Bill 1057 continued

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1 1 Section 1. Section 232.51, Code 2011, is amended to read as  
1 2 follows:

1 3 232.51 Disposition of child with mental illness or mental  
1 4 retardation.

1 5 1. If the evidence received at an adjudicatory or a  
1 6 dispositional hearing indicates that the child is mentally  
1 7 ill, the court may direct the juvenile court officer or the  
1 8 department to initiate proceedings or to assist the child's  
1 9 parent or guardian to initiate civil commitment proceedings in  
1 10 the juvenile court. ~~These~~ and such proceedings in the juvenile  
1 11 court shall adhere to the requirements of chapter 229.

1 12 2. If the evidence received at an adjudicatory or a  
1 13 dispositional hearing indicates that the child is mentally  
1 14 retarded, the court may direct the juvenile court officer or  
1 15 the department to initiate proceedings or to assist the child's  
1 16 parent or guardian to initiate civil commitment proceedings in  
1 17 the juvenile court. ~~These~~ and such proceedings shall adhere to  
1 18 the requirements of chapter 222. ~~If the child is committed as~~  
~~1 19 a child with mental illness or mental retardation, any order~~  
~~1 20 adjudicating the child to have committed a delinquent act shall~~  
~~1 21 be set aside and the petition shall be dismissed.~~

1 22 EXPLANATION

1 23 This bill eliminates the requirement that a juvenile court  
1 24 order adjudicating a child to have committed a delinquent act  
1 25 shall be set aside and the petition shall be dismissed if that  
1 26 child is civilly committed for treatment as a child with mental  
1 27 retardation or mental illness.

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rh/nh



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**Senate Study Bill 1058**

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON FRAISE)

**A BILL FOR**

1 An Act establishing a parole procedure for certain persons  
2 serving a class "A" felony sentence.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1045XC (6) 84  
jm/rj



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1 1 Section 1. Section 902.1, Code 2011, is amended to read as  
1 2 follows:

1 3 902.1 Class "A" felony.

1 4 1. Upon a plea of guilty, a verdict of guilty, or a special  
1 5 verdict upon which a judgment of conviction of a class "A"  
1 6 felony may be rendered, the court shall enter a judgment of  
1 7 conviction and shall commit the defendant into the custody of  
1 8 the director of the Iowa department of corrections for the rest  
1 9 of the defendant's life. Nothing in the Iowa corrections code  
1 10 pertaining to deferred judgment, deferred sentence, suspended  
1 11 sentence, or reconsideration of sentence applies to a class "A"  
1 12 felony, and a person convicted of a class "A" felony shall not  
1 13 be released on parole unless the governor commutes the sentence  
1 14 to a term of years.

1 15 2. a. Notwithstanding subsection 1, a person convicted  
1 16 of a class "A" felony, and who was a child under the age  
1 17 of eighteen at the time the offense was committed shall be  
1 18 eligible for parole after serving a minimum term of confinement  
1 19 of twenty-five years.

1 20 b. If a person is paroled pursuant to this subsection the  
1 21 person shall be subject to the same set of procedures set out  
1 22 in chapters 901B, 905, 906, and chapter 908, and rules adopted  
1 23 under those chapters for persons on parole.

1 24 c. A person convicted of murder in the first degree in  
1 25 violation of section 707.2 shall not be eligible for parole  
1 26 pursuant to this subsection.

1 27 EXPLANATION

1 28 This bill establishes a parole procedure for certain persons  
1 29 serving a class "A" felony.

1 30 The bill provides that a person serving a class "A" felony,  
1 31 other than a person convicted of murder in the first degree,  
1 32 who was under 18 years of age when the offense was committed is  
1 33 eligible for parole after serving a minimum term of confinement  
1 34 of 25 years.

1 35 The bill applies to the following class "A" felonies:



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2 1 conspiracy to manufacture for delivery, delivery, or intent to  
2 2 deliver amphetamine or methamphetamine to a minor in violation  
2 3 of Code section 124.401D; sexual abuse in the first degree in  
2 4 violation of Code section 709.2; kidnapping in the first degree  
2 5 in violation of Code section 710.2; and enhanced penalties for  
2 6 sexual abuse and lascivious acts with a child in violation of  
2 7 Code section 902.14.

2 8     If a person is paroled pursuant to the bill, the person  
2 9 shall be subject to the same set of procedures set out in Code  
2 10 chapters 901B, 905, 906, and 908, and rules adopted under those  
2 11 Code chapters for persons on parole. The parole status of a  
2 12 person paroled pursuant to the bill may be revoked and the  
2 13 original sentence imposed under the procedures of Code chapter  
2 14 908. The paroled person may also be discharged early from  
2 15 parole pursuant to Code section 906.15.

2 16     Code section 903A.5 does not apply to reduce the mandatory  
2 17 minimum sentence of 25 years established by the bill.

2 18     The bill also does not apply to enhanced life sentences in  
2 19 Code chapter 901A (sexually predatory offenses).

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jm/rj



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**Senate Study Bill 1059**

SENATE FILE

BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON BOLKCOM)

**A BILL FOR**

1 An Act repealing the property assessment appeal board.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1486XC (5) 84  
md/sc



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1 1 Section 1. Section 257.12, subsection 1, Code 2011, is  
1 2 amended to read as follows:  
1 3 1. If a school district is required to repay property taxes  
1 4 paid for school taxes levied on property originally assessed  
1 5 at five million dollars or more because the assessment was  
1 6 subsequently reduced by ~~the action of the property assessment~~  
~~1 7 appeal board or~~ judicial action and the amount of the reduction  
1 8 in the assessment equals at least one hundred thousand dollars  
1 9 or two percent of the assessed value of all taxable property  
1 10 in the district prior to the reduction, whichever is less,  
1 11 the school district is eligible for an adjustment in state  
1 12 foundation aid. To receive the adjustment in state foundation  
1 13 aid, the school district shall apply to the department of  
1 14 management prior to the beginning of the budget year following  
1 15 the budget year in which the repayment of the property taxes  
1 16 occurred. The department of management shall determine the  
1 17 amount of adjustment in state foundation aid pursuant to  
1 18 subsection 2.  
1 19 Sec. 2. Section 441.19, subsection 1, paragraph d, Code  
1 20 2011, is amended to read as follows:  
1 21 d. The supplemental returns provided for in this section  
1 22 shall be preserved in the same manner as assessment rolls,  
1 23 but shall be confidential to the assessor, board of review,  
1 24 ~~property assessment appeal board,~~ or director of revenue,  
1 25 and shall not be open to public inspection, but any final  
1 26 assessment roll as made out by the assessor shall be a public  
1 27 record, provided that such supplemental return shall be  
1 28 available to counsel of either the person making the return  
1 29 or of the public, in case any appeal is taken to the board of  
1 30 review, ~~to the property assessment appeal board,~~ or to the  
1 31 court.  
1 32 Sec. 3. Section 441.38, Code 2011, is amended to read as  
1 33 follows:  
1 34 441.38 Appeal to district court.  
1 35 1. Appeals may be taken from the action of the local



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2 1 board of review with reference to protests of assessment, to  
2 2 the district court of the county in which the board holds  
2 3 its sessions within twenty days after its adjournment or May  
2 4 31, whichever date is later. ~~Appeals may be taken from the~~  
~~2 5 action of the property assessment appeal board to the district~~  
~~2 6 court of the county where the property which is the subject of~~  
~~2 7 the appeal is located within twenty days after the letter of~~  
~~2 8 disposition of the appeal by the property assessment appeal~~  
~~2 9 board is postmarked to the appellant.~~ No new grounds in  
2 10 addition to those set out in the protest to the local board  
2 11 of review as provided in section 441.37, ~~or in addition to~~  
~~2 12 those set out in the appeal to the property assessment appeal~~  
~~2 13 board, if applicable,~~ can be pleaded. Additional evidence  
2 14 to sustain those grounds may be introduced in an appeal from  
2 15 the local board of review to the district court. ~~However, no~~  
~~2 16 new evidence to sustain those grounds may be introduced in~~  
~~2 17 an appeal from the property assessment appeal board to the~~  
~~2 18 district court.~~ The assessor shall have the same right to  
2 19 appeal and in the same manner as an individual taxpayer, public  
2 20 body, or other public officer as provided in section 441.42.  
2 21 Appeals shall be taken by filing a written notice of appeal  
2 22 with the clerk of district court. Filing of the written notice  
2 23 of appeal shall preserve all rights of appeal of the appellant.  
2 24 2. If the appeal to district court is taken from the action  
2 25 of the local board of review, notice of appeal shall be served  
2 26 as an original notice on the chairperson, presiding officer, or  
2 27 clerk of the board of review after the filing of notice under  
2 28 subsection 1 with the clerk of district court. ~~If the appeal~~  
~~2 29 to district court is taken from the action of the property~~  
~~2 30 assessment appeal board, notice of appeal shall be served as~~  
~~2 31 an original notice on the secretary of the property assessment~~  
~~2 32 appeal board after the filing of notice under subsection 1 with~~  
~~2 33 the clerk of district court.~~  
2 34 Sec. 4. Section 441.38A, Code 2011, is amended to read as  
2 35 follows:





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3 1 441.38A Notice to school district.

3 2 In addition to any other requirement for providing of

3 3 notice, if a property owner or aggrieved taxpayer files a

3 4 protest against the assessment of property valued at five

3 5 million dollars or more or files an appeal to the ~~property~~

~~3 6 assessment appeal board or the~~ district court with regard to

3 7 such property, the assessor shall provide notice to the school

3 8 district in which such property is located within ten days of

3 9 the filing of the protest or the appeal, as applicable.

3 10 Sec. 5. 2005 Iowa Acts, chapter 150, section 134, is amended

3 11 to read as follows:

3 12 Sec. 134. FUTURE REPEAL.

3 13 1. The sections of this division of this Act amending

3 14 sections 7E.6, 13.7, 428.4, ~~441.19~~, 441.35, ~~441.38~~, 441.39,

3 15 441.43, 441.49, and 445.60, and enacting ~~sections 421.1A and~~

~~3 16~~ section 441.37A, are repealed effective July 1, ~~2013~~ 2011.

3 17 2. The portion of the section of this division of this

3 18 Act amending section 441.28 relating only to the property

3 19 assessment appeal board is repealed effective July 1, ~~2013~~

~~3 20~~ 2011.

3 21 Sec. 6. REPEAL. Section 421.1A, Code 2011, is repealed.

3 22 Sec. 7. REPEAL. Section 441.38B, Code 2011, is repealed.

3 23 EXPLANATION

3 24 2005 Iowa Acts, chapter 150, section 134, provides for the

3 25 automatic repeal of the property assessment appeal board on

3 26 July 1, 2013. This bill amends the date of the repeal to be

3 27 July 1, 2011. The bill also makes corresponding amendments to

3 28 reflect the repeal of the property assessment appeal board.

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